



## INTERNAL OPERATIONS COMMITTEE

SPECIAL MEETING

February 29, 2016

11:00 A.M.

651 Pine Street, Room 101, Martinez

Supervisor John Gioia, Chair  
Supervisor Candace Andersen, Vice Chair

### Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. INTERVIEW candidates for the At Large #1, At Large #2 and Public Member Alternate seats on the Integrated Pest Management Advisory Committee and DETERMINE recommended appointments for Board of Supervisors consideration. *(Tanya Drlik, IPM Coordinator, Health Services Department)*
4. CONSIDER approving nominations to reappoint Frank Gordon to the General Public seat, Tim Bancroft to the General Public Alternate seat, Jim Payne to the Labor #2 seat and Tracy Scott to the Labor #2 Alternate Seat; and reassign Usha Vedagiri from the Environmental Organization #3 Alternate seat to the Environmental Organizations #2 seat on the Hazardous Materials Commission. *(Michael Kent, Executive Asst. to the Hazardous Materials Commission)*
5. CONSIDER approving the proposed plan and schedules for the recruitment to fill one seat each on the Contra Costa County Employees' Retirement Association Board of Trustees, the County Planning Commission, and the Contra Costa County Fire Protection District Advisory Fire Commission that will become vacant on June 30, 2016; and three seats on the Contra Costa Resource Conservation District Board of Directors that will become vacant on November 30, 2016. *(Julie DiMaggio Enea, IOC Staff)*
6. CONSIDER accepting report on the status of the development of a waste hauler ordinance and PROVIDE direction to staff on next steps. *(Marilyn Underwood, Environmental Health Director & John Kopchik, Conservation & Development Director)*

7. CONSIDER recommending that the Board of Supervisors direct staff to take the necessary actions to obtain electrical load data from PG&E, work with interested cities to conduct a technical feasibility study of CCE in this county, and acquire additional consulting services through completion of the technical study, if authorized. *(Jason Crapo, Conservation and Development Department)*
8. CONSIDER accepting report on the Auditor-Controller's audit activities for 2015, and approving the proposed schedule of financial audits for 2016. *(Joanne Bohren, Chief Auditor)*
9. CONSIDER approving 2016 Internal Operations Committee meeting schedule and work plan. *(Julie DiMaggio Enea, IOC Staff)*
10. The next meeting is currently scheduled for March 28, 2016.
11. Adjourn

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*The Internal Operations Committee will provide reasonable accommodations for persons with disabilities planning to attend Internal Operations Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.*

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*Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Internal Operations Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor, during normal business hours. Staff reports related to items on the agenda are also accessible on line at [www.co.contra-costa.ca.us](http://www.co.contra-costa.ca.us).*

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*Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

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For Additional Information Contact:

Julie DiMaggio Enea, Committee Staff  
Phone (925) 335-1077, Fax (925) 646-1353  
[julie.enea@cao.cccounty.us](mailto:julie.enea@cao.cccounty.us)





# Contra Costa County Board of Supervisors

## Subcommittee Report

### INTERNAL OPERATIONS COMMITTEE - SPECIAL

3.

**Meeting Date:** 02/29/2016

**Subject:** CANDIDATE INTERVIEWS: INTEGRATED PEST MANAGEMENT  
ADVISORY COMMITTEE

**Submitted For:** William Walker, M.D., Health Services Director

**Department:** Health Services

**Referral No.:** IOC 16/5

**Referral Name:** ADVISORY BODY RECRUITMENT

**Presenter:** Tanya Drlik, Integrated Pest Management Coordinator  
**Contact:** Tanya Drlik  
925.335.3214

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#### **Referral History:**

In June 2014, the IOC reviewed Board Resolution Nos. 2011/497 and 2011/498, which stipulate that applicants for At Large/Non Agency-Specific seats on specified bodies are to be interviewed by a Board subcommittee. The Resolutions further permit a Board Committee to select a screening committee to assist in interviewing applicants for appointment. Upon review of the eligible seats, the IOC made a determination that it would conduct interviews for At Large seats on the following bodies: Retirement Board, Fire Advisory Commission, Integrated Pest Management Advisory Committee, Planning Commission, Treasury Oversight Board, Airport Land Use Commission, Aviation Advisory Committee and the Fish & Wildlife Committee; and that screening and nomination fill At Large seats on all other eligible bodies would be delegated each body or a subcommittee thereof.

#### **Referral Update:**

The Integrated Pest Management (IPM) Advisory Committee was established by the Board of Supervisors in November 2009 to advise the Board regarding the protection and enhancement of public health, County resources, and the environment related to pest control methods employed by County departments. The IPM Committee has eight voting members as follows: two ex-officio members (Health Services Department and County/Unincorporated County Storm Water Program) and six public members (one Public and Environmental Health Advisory Board representative, one County Fish and Wildlife Committee representative, one Environmental Organizations representative, and three At Large appointees); plus one Public Member Alternate seat. Terms of office for the At Large and Alternate seats reviewed by the Internal Operations Committee have recently been extended from two to four years at the direction of the IOC.

The Environmental Organization, and At Large 1-3 seats will become vacant on December 31,

2015. Attached is a letter from the IPM Committee transmitting the three applications received from the recruitment for the four vacancies, and describing the recruitment process, and the current Committee roster.

**Recommendation(s)/Next Step(s):**

INTERVIEW the following candidates for At Large #1, At Large #2 and Public Member Alternate seats on the Integrated Pest Management Advisory Committee and DETERMINE recommended appointments for Board of Supervisors consideration:

Larry Brunink, Concord  
Susan Captain, Moraga  
Kelly Davidson, Clayton  
James Donnelly, Danville  
Nati Flores\*, Antioch  
Wayne Lanier, PhD, Walnut Creek  
Justin B. Sinclair, Clayton

**Fiscal Impact (if any):**

No fiscal impact.

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**Attachments**

Candidate Application IPM Larry Brunink  
Candidate Application IPM Susan Captain  
Candidate Application IPM Kelly Davidson  
Candidate Application IPM James Donnelly  
Candidate Application IPM Nati Flores  
Candidate Application IPM Wayne Lanier  
Candidate Application IPM Justin B. Sinclair

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Contra  
Costa  
County

RECEIVED

FEB 16 2016

CLERK BOARD OF SUPERVISORS  
CONTRA COSTA CO.

For Office Use Only

Date Received:

Print Form

For Reviewers Use Only:

Accepted

Rejected

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

**MAIL OR DELIVER TO:**

Contra Costa County  
CLERK OF THE BOARD  
651 Pine Street, Rm. 106  
Martinez, California 94553-1292

**PLEASE TYPE OR PRINT IN INK**

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Integrated Pest Management Advisory Com.

Regular Public Seat

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Brunink Larry Allen  
(Last Name) (First Name) (Middle Name)

2. **Address:** [Redacted] Concord, CA 94521  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** none [Redacted]  
(Home No.) (Work No.) (Cell No.)

4. **Email Address:** [Redacted]

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☐ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved B.A.

Names of colleges / universities attended	Course of Study / Major	Degree Awarded Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Michigan State University, East Lansing, MI	Communication	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		180	B.A.	June, 1982
B)		Yes <input type="checkbox"/> No <input type="checkbox"/>				
C)		Yes <input type="checkbox"/> No <input type="checkbox"/>				
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes <input type="checkbox"/> No <input type="checkbox"/>			

THIS FORM IS A PUBLIC DOCUMENT

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div>10/2001</div> <div>current</div>   Total: <u>Yrs.</u>    <u>Mos.</u>  <div>14 years</div> <div>3 months</div>   Hrs. per week <div>40</div> . Volunteer <input type="checkbox"/></p>	<p>Title  <div>Business Developer</div>   Employer's Name and Address  <div>Rubicon Enterprises Inc., dba Rubicon Landscape  1952 Wright Ave  Richmond, CA 94804</div></p>	<p>Duties Performed  Prospect and develop private and public sector business opportunities for a commercial landscape company, concentrating on development of landscape maintenance opportunities.    Responsible for reviewing or determining a Scope of Work, developing price estimates and responding to formal RFP's.</p>
<p>B) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div>July, 2003</div> <div>June, 2001</div>   Total: <u>Yrs.</u>    <u>Mos.</u>  <div>8 years</div> <div></div>   Hrs. per week <div>40</div> . Volunteer <input type="checkbox"/></p>	<p>Title  <div>Branch Manager</div>   Employer's Name and Address  <div>TruGreen Lawn Care  3950 Laura Alice Way  Concord, CA 94521</div></p>	<p>Duties Performed  Managed profit/loss objectives while also managing all sales, operations and administrative aspects of a corporate branch office.  Supervised and provided pesticide safety training to route drivers who applied fertilizer, weed control, and insect control treatments to residential and commercial customer landscapes.</p>
<p>C) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div>09/1989</div> <div>06/1993</div>   Total: <u>Yrs.</u>    <u>Mos.</u>  <div>3 years</div> <div>9 months</div>   Hrs. per week <div>49</div> . Volunteer <input type="checkbox"/></p>	<p>Title  <div>Branch Manager</div>   Employer's Name and Address  <div>Tru Green Lawn Care  Walton Hills, Ohio</div></p>	<p>Duties Performed    Same as above</p>
<p>D) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <div>12/84</div> <div>08/1989</div>   Total: <u>Yrs.</u>    <u>Mos.</u>  <div>4 years</div> <div>8 monthss</div>   Hrs. per week <div>40</div> . Volunteer <input type="checkbox"/></p>	<p>Title  <div>Branch Manager</div>   Employer's Name and Address  <div>Tru Green Lawn Care  Various East Coast Locations: Providence RI, Philadelphia, PA, and Boston, MA</div></p>	<p>Duties Performed    Same as Above.</p>

7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☐ Other ☐ Received Email

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

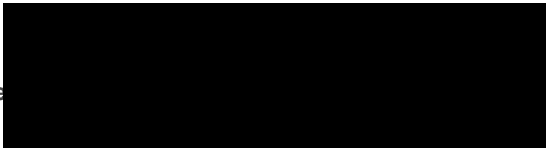
If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name



Date:

2-15-2016

### Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.

  
Concord, CA 94521

February 12, 2016

Contra Costa County  
Clerk of the Board  
651 Pine St. Rm 106  
Martinez, CA 93553-1292

To Whom It May Concern:

Subject: Application for Regular Seat on Contra Costa Integrated Pest Management Advisory Committee

My name is Larry A. Brunink and I have been a resident of Contra Costa County since July, 1993. I am writing this letter to expand upon my background in Integrated Pest Management and interest in applying for a regular member seat on the Contra Costa IPM Advisory Committee.

As you review my application, I would like you to consider the following:

1. I have over 30 years of professional experience in the landscape industry including over 14 years with Rubicon Landscape, my current employer. For my first eleven years I split my time between landscape construction estimating and business development. Since April, 2012, I have been dedicated fulltime to business development for our landscape maintenance division.
2. I have an excellent working knowledge of IPM and sustainable landscaping practices being initiated and/or required by other public agencies and municipalities in the Bay Area. As the Business Developer for Rubicon Landscape, My responsibilities include reviewing the scope of work associated with municipal landscape maintenance bids and RFP's and developing a SOW for private property owners.

Rubicon Landscape is currently under contract with several local public agencies and municipalities, including: City of El Cerrito, City of Hercules, Richmond Housing Authority, Port of Oakland, Alameda Power and Telecom, Tamalpais Community Services District (no pesticide program), City of Pleasanton and City and County of San Francisco.

Rubicon Landscape was initially founded over 30 years ago as an initiative of Rubicon Programs Inc., a Richmond based non-profit. Our revenues are transferred to Rubicon Programs, to help it develop its capacity to serve more East Bay Residents. As part of our social mission, we contract with the VA Medical System-Palo Alto, to maintain the VA Medical Campuses in Palo Alto, Menlo Park, and Livermore and Coast Guard Island, Alameda, through a federal program known as Ability One. This program allows federal agencies to contract directly with non-profit agencies that employ persons with disabilities to provide the contracted services.

At Coast Guard Island, we are currently implementing a new Scope of Work, based on the new *Guidelines on Sustainable Landscaping for Federal Agencies*.

Rubicon also contacts with the CA Department of Public Health to maintain their Richmond campus through a similar state-level program.

So my working knowledge of the IPM standards being implemented by other local governments as they put landscape work out to bid, is one asset I would bring to the committee.

3. I have a history of pesticide licensing having possessed a State of California Qualified Applicator's License (#105661), in categories B, Landscape Maintenance, and C, Right of Way Pest Control, since 1994. Prior to that time, I held similar applicator licenses in Ohio, Pennsylvania, Massachusetts, and Rhode Island, dating back to 1987.

4. In my previous capacity with TruGreen Lawn Care, as a Branch Manager, I possessed the applicators' license we used on our branch office registration. I actively trained and supervised up to 15 route drivers who might apply weed or insect control as they fertilized our residential customer's lawns. I was also responsible for filing Pesticide Usage Reports and maintaining training records.

5. I also have a background in vegetation control. In my employment with TruGreen, I have previously served as Project Manager for vegetation control projects for regional transit agencies, ranging from the South-East Pennsylvania Transit Authority (Philadelphia), PATransit, (Pittsburg), Regional Transit Authority (RTA-Cleveland) and SF BART.

In summary, I believe I am a qualified candidate if the committee sees benefit in adding landscape professional to the committee with an excellent background in IPM as it applies to lawns, landscapes and right-of-ways, with the added benefit of having a new member that is Bay-Friendly Qualified, and has a working knowledge of IPM practices used by several other public agencies.

Thank you for giving consideration to my application.

Sincerely,

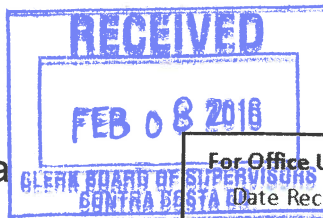
A handwritten signature in black ink, appearing to read 'Larry A. Brunink', with a large, stylized loop at the end.

Larry A. Brunink





Contra  
Costa  
County



For Office Use Only  
Date Received:

For Reviewers Use Only:  
Accepted Rejected

Print Form

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

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(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Contra Costa IPM Advisory Committee

regular seat 1 or Act.

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. Name: Captain Susan Marie  
(Last Name) (First Name) (Middle Name)

2. Address: [REDACTED] Moraga CA 94556  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. Phones: [REDACTED]  
(Home No.) (Work No.) (Cell No.)

4. Email Address: [REDACTED]

5. EDUCATION: Check appropriate box if you possess one of the following:

High School Diploma ☐ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved B.S.c statistics

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) <u>Al-Mustansarya university - IRAQ</u>	<u>Statistics</u>	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<u>12</u>		<u>B.S.</u>	<u>1981</u>
B) <u>[REDACTED]</u>		Yes No <input type="checkbox"/> <input type="checkbox"/>				
C) <u>[REDACTED]</u>		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed: <u>DVC</u>	Course Studied <u>Computer Tech Support</u>	Hours Completed <u>37</u>	Certificate Awarded: Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			

THIS FORM IS A PUBLIC DOCUMENT

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)          From <u>3-3-2005</u> To <u>Present</u>          Total: Yrs. <u>    </u> Mos. <u>    </u>          Hrs. per week <u>    </u> . Volunteer <input type="checkbox"/></p>	<p>Title  <u>President / grower</u>          Employer's Name and Address  <u>Captain Vineyards</u>  <u>1969 Joseph Dr.</u>  <u>Moraga, CA 94556</u></p>	<p>Duties Performed  <u>Hands on Vineyard Management, pruning, thinning, spraying, netting Harvesting &amp; managing Logistics.</u></p>
<p>B) Dates (Month, Day, Year)          From <u>    </u> To <u>    </u>          Total: Yrs. <u>    </u> Mos. <u>    </u>          Hrs. per week <u>    </u> . Volunteer <input type="checkbox"/></p>	<p>Title  <u>    </u>          Employer's Name and Address  <u>    </u></p>	<p>Duties Performed  <u>    </u></p>
<p>C) Dates (Month, Day, Year)          From <u>    </u> To <u>    </u>          Total: Yrs. <u>    </u> Mos. <u>    </u>          Hrs. per week <u>    </u> . Volunteer <input type="checkbox"/></p>	<p>Title  <u>    </u>          Employer's Name and Address  <u>    </u></p>	<p>Duties Performed  <u>    </u></p>
<p>D) Dates (Month, Day, Year)          From <u>    </u> To <u>    </u>          Total: Yrs. <u>    </u> Mos. <u>    </u>          Hrs. per week <u>    </u> . Volunteer <input type="checkbox"/></p>	<p>Title  <u>    </u>          Employer's Name and Address  <u>    </u></p>	<p>Duties Performed  <u>    </u></p>

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7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☒ District Supervisor ☐ Other

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

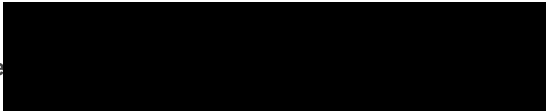
If Yes, please identify the nature of the relationship:

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Sign Name



Date:

2-5-2016

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## Susan M. Captain

[REDACTED] Moraga CA. 94556, [REDACTED]

2005- current

### **President, Captain Vineyards, LLC. Boutique vineyard and winery in Moraga**

- . Attended extensive classes in small vineyard development and Management at **UC Davis extension**
- . Holder of a **Private Applicator Permit** from the CCC Ag department for 10 years
- . Produced high quality grape using best sustainable practices and capitalizing on **integrated pest management** techniques (IPM)
- . A **founding member** of the Lamorinda wine growers Association (LWGA).
- . **Leading voice in educating** members of LWGA in sustainable practices in vineyards and gardens
- . The only **4-H viticulture project** leader in the area for teens.
- . Part of the Miramonte High School **Wise project** for seniors.
- . **Certified Bay Friendly Landscape professional**
- . Served as a **President of Lamorinda wine growers association** for 2 years and currently on the board
- . Captain Vineyards received Green, sustainable, watersmart, pollution prevention awards since 2010
- . Member of the **California code of sustainable winegrowing** since 2008
- . Captain Vineyards is a **Dry Farmed vineyard** since 2007.

- **NPDN Certified** since 2011-National Plant Diagnostic network-
- Fieldworker & pesticide Handler **instructor** training program since 2011
- **Lead Classes** in Viticulture and Enology through the local Park and Recreation for 9 years

1998-2007

Miramonte High School

Orinda, CA

***National Speech and Debate Judge and assistant to the couch***

- Volunteered for the Speech and Debate Program. Assisted in hosting, traveling, supporting the team in state and national competitions
- Chaperoned team to Oregon, Oklahoma, and North Carolina

***Coach, Miramonte High School Academic Decathlon Team***

- Coached the Team to win the county competition. Represented CCC at the state convention, Los Angeles 2005-2006.
- Coached the Team to win second in the County 2006-2007.

**Education:**

- Bachelor of Science, **B.Sc. Statistics**, Al-Mustansarya University, School of Business Administration and Computer Science, Baghdad, Iraq, 1981

**Continuing Education:**

- DVC, Saddle Back College, De Anza College,



# Certificate of First Detector Training Completion

*is hereby granted*

*Susan Captain*

*for completion of core "First Detector" training modules.*

**March 24, 2015**

**Yountville, California**

This certificate has been approved by  
Martin Draper, PhD, NPPDN Chair and  
Rachel McCarthy MS., Chair of NPPDN Training and Education

Training Session Coordinator

*Submitted for review*



City of Napa • Napa County Stormwater Pollution Prevention Program  
City of American Canyon • California Native Plant Society - Napa Valley Chapter  
Napa County Resource Conservation District • Town of Yountville  
City of St. Helena • City of Calistoga

# Susan Captain

*has met the requirements to become a*

Qualified Bay-Friendly Landscape  
Maintenance Professional



*Patrick Costello*  
Patrick Costello, City of Napa

*Debi Tidd*  
Debi Tidd, Bay-Friendly Coalition



# TRAINER CERTIFICATION AWARDED TO

Susan Captain

UPON COMPLETION OF

WPS FIELDWORKER & PESTICIDE HANDLER  
INSTRUCTOR TRAINING PROGRAM

Sponsored by UC Statewide IPM Program

**On the 2nd day of April, 2011**



Guadalupe (Lupe) Sandoval,  
Trainer: Sandoval Bilingual Safety Solutions

Napa County UCCE  
Location



Contra  
Costa  
County

RECEIVED

FEB 16 2016

BOARD OF SUPERVISORS  
CONTRA COSTA CO.

For Office Use Only  
Date Received:

For Reviewers Use Only:  
Accepted Rejected

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

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PLEASE TYPE OR PRINT IN INK

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Contra Costa IPM Advisory Committee

Public

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. Name: Davidson Kelly  
(Last Name) (First Name) (Middle Name)

2. Address: [Redacted] Clayton CA 94517  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. Phones: None [Redacted]  
(Home No.) (Work No.) (Cell No.)

4. Email Address: [Redacted]

5. EDUCATION: Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved Master of Science - Education

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Oregon State University	Master of Natural Resources	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>		31 of 46	MNR	2017
B) Oregon State University	Wildlife Managment	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>		19	Cert	9-2015
C) Cal State University	Education	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>		45	MS	6-2004
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

THIS FORM IS A PUBLIC DOCUMENT

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)</p> <p>From <u>11/1/2010</u> To <u>Present</u></p> <p>Total: Yrs. <u>5</u> Mos. <u>2</u></p> <p>Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>District Biologist</p> <p>Employer's Name and Address</p> <p>Mt. View Sanitary District PO Box 2757 Martinez, CA 94553</p>	<p>Duties Performed</p> <p>I manage 140 acres of wetlands, including McNabney Marsh and Moorhen Marsh. I administer the District's public education program including the Wetlands Field Trip program that emphasizes reducing water pollution. I manage the western pond turtle study and the annual nesting bird surveys in the District's wetlands.</p>
<p>B) Dates (Month, Day, Year)</p> <p>From <u>11/1/2003</u> To <u>10/31/2010</u></p> <p>Total: Yrs. <u>7</u> Mos. <u>0</u></p> <p>Hrs. per week <u>30</u> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Environmental Education Coordinator</p> <p>Employer's Name and Address</p> <p>Mt. View Sanitary District PO Box 2757 Martinez, CA 94553</p>	<p>Duties Performed</p> <p>As an independent contractor, I managed the District's pollution prevention, wetland conservation, and public education programs.</p>
<p>C) Dates (Month, Day, Year)</p> <p>From <u>8/1/2004</u> To <u>6/1/2005</u></p> <p>Total: Yrs. <u>0</u> Mos. <u>10</u></p> <p>Hrs. per week <u>15</u> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Teaching Consultant - Sewer Science</p> <p>Employer's Name and Address</p> <p>Central Contra Costa Sanitary District 5019 Imhoff Place Martinez, CA 94553</p>	<p>Duties Performed</p> <p>As an Independent contractor, I taught the 5-day in-class high school program called "Sewer Science" that taught the importance of protecting water quality for public health and environmental protection. The program discussed how human activities impact water quality and the ability of wastewater treatment plants to clean the water.</p>
<p>D) Dates (Month, Day, Year)</p> <p>From <u>1/2/2001</u> To <u>6/15/2002</u></p> <p>Total: Yrs. <u>1</u> Mos. <u>6</u></p> <p>Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Public Information Specialist</p> <p>Employer's Name and Address</p> <p>Contra Costa Water District 1331 Concord Avenue Concord, CA 94520</p>	<p>Duties Performed</p> <p>Interviewed, evaluated, and contracted with Environmental Education Instructors to lead a variety of school programs that serviced more than 30,000 students per year. Facilitated the interpretive exhibit design team for the Los Vaqueros Interpretive Center's public exhibits. Wrote water quality brochures and annual reports.</p>

## WETLAND ECOLOGY | ENVIRONMENTAL EDUCATION | PROGRAM ADMINISTRATION

### AREAS OF EXPERTISE

- *SF Bay Area Wetland Ecology*
- *Aquatic Bird ID and Natural History*
- *Western Pond Turtle Biology and Ecology*
- *Acute Toxicity Bioassay Testing Techniques*
- *RFP and Contract Administration*
- *Interpretive Exhibit Design*
- *Newsletter Design & Publication*
- *Curriculum Development*

### EDUCATION & TRAINING

Oregon State University

*Master of Natural Resources – anticipated completion, June 2017*

Oregon State University

*Wildlife Management, Graduate Certificate – September 2015*

California State University, East Bay

*Environmental Education, MS – June 2004*

California State University, East Bay

*Biological Anthropology, BA – June 1999 – Magna Cum Laude*

#### *Special Training*

- Workshop on Western Pond Turtle biology, natural history, and species identification - 2015 and 2011
- Seminar in Water Quality Regulation and Permitting - 2013
- Seminar on “The Migratory Bird Treaty Act: Reshaping a Powerful Conservation Tool” - 2011
- Workshop on the biology and identification of special status pond species including: CA Red-legged Frog, CA Tiger Salamander, and Western Pond Turtle - 2010
- 4-day workshop on bat identification and survey techniques with Merlin Tuttle - 1994

### CAREER ACCOMPLISHMENTS

#### **WETLAND ECOLOGY & WILDLIFE BIOLOGY**

- As District Biologist for Mt. View Sanitary District (MVSD) developed, recommended, and directed the implementation of various natural resource management programs including wildlife and vegetation management programs and habitat enhancement projects.
- Managed CA Clapper Rail and CA Black Rail Surveys and Management Plan for McNabney Marsh 2014-2015.
- Administered the creation of the Moorhen Marsh Management Plan 2012-2013.
- Managed the McNabney Marsh Cyanobacteria Study with the University of California at Santa Cruz - 2012
- Managed and conducted research on the Western Pond Turtle using UHF and VHF telemetry technology to establish habitat use and movement patterns in Moorhen Marsh 2012-2015.
- Managed the McNabney Marsh Nesting Bird Surveys since 2011.
- Served as Co-chair of the Peyton Slough Wetlands Advisory Committee.
- As an independent biologist, assisted with surveys of threatened and endangered species including: California Red-legged Frog and CA Tiger Salamander 1998-2004.



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## PROFESSIONAL PROFILE

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***Mt. View Sanitary District*** ***November 2010 - Present***  
District Biologist

***The Wildlife Project*** ***June 2000 - October 2010***  
Associate Wildlife Biologist – Independent Contractor

***Mt. View Sanitary District*** ***November 2003 - October 2010***  
Environmental Education Coordinator – Independent Contractor

***Alameda County Resource Conservation District*** ***May 2003 - December 2003***  
Curriculum Consultant – Independent Contractor

***Contra Costa Water District*** ***January 2001 - June 2002***  
Public Information Specialist & Environmental Education Coordinator

***Hayward Shoreline Interpretive Center*** ***August 1995 - December 2000***  
Program Director

***Hayward Shoreline Interpretive Center*** ***June 1990 - July 1995***  
Wetlands Naturalist

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## VOLUNTEER PROFILE

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***The East Contra Costa County Habitat Conservancy*** ***March 2012 - Present***  
Public Advisory Committee Member

***The National Pony Society - United Kingdom*** ***March 2008 - July 2015***  
Chairman of American Chapter - NPS America

***The Dales Pony Society of America*** ***February 2006 - Present***  
Registrar, Secretary, and Newsletter Editor

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## MEMBER ORGANIZATIONS

---

***The Society for Conservation Biology*** ***2012 - Present***

***The Wildlife Society*** ***2010 - Present***  
National and Western Section

*References available upon request*

Print Form



Contra  
Costa  
County

For Office Use Only

Date Received:

NOV 09 2015

CLERK BOARD OF SUPERVISORS  
CONTRA COSTA CO.

For Reviewers Use Only:

Accepted

Rejected

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:

Contra Costa County  
CLERK OF THE BOARD  
651 Pine Street, Rm. 106  
Martinez, California 94553-1292

PLEASE TYPE OR PRINT IN INK

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Integrated Pest Mgt Advisory Committee

Public Member

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. Name: DONNELLY JAMES ROBERT  
(Last Name) (First Name) (Middle Name)

2. Address: [REDACTED] DANVILLE, CA 94526  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. Phones: [REDACTED]  
(Home No.) (Work No.) (Cell No.)

4. Email Address: [REDACTED]

5. EDUCATION: Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved MASTER OF ARTS

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) <u>LONG BEACH CITY COLLEGE</u>	<u>ENGINEERING</u>	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<u>90</u>		<u>AS</u>	<u>1967</u>
B) <u>CALIFORNIA STATE UNIVERSITY LONG BEACH</u>	<u>CHEMISTRY</u>	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<u>~60</u>		<u>BS</u>	<u>1971</u>
C) <u>ST. MARYS COLLEGE OF CALIFORNIA</u>	<u>LEADERSHIP</u>	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<u>30</u>		<u>MA</u>	<u>2006</u>
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded:			
<u>HAZWOPER &amp; REFRESHERS</u>		<u>40 # 8 ANNUALLY</u>	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)</p> <p>From <u>Oct. 2006</u> To <u>Present</u></p> <p>Total: Yrs. <u>9</u> Mos. <u>3</u></p> <p>Hrs. per week <u>20</u> Volunteer <input type="checkbox"/></p>	<p>Title</p> <p><u>Principal</u></p> <p>Employer's Name and Address</p> <p><u>J.R. Donnelly Consulting</u>  <u>373 Century Cir.</u>  <u>Danville, CA 94524</u></p>	<p>Duties Performed</p> <p><u>ENVIRONMENTAL HEALTH</u>  <u>SAFETY &amp; QUALITY</u>  <u>CONSULTING FOR</u>  <u>MINING/INDUSTRIAL PROJECTS</u>  <u>DEVELOP HSE PROGRAMS</u>  <u>CONDUCT AUDITS</u>  <u>ENVIRONMENTAL TRAINING</u>  <u>MSHA SURFACE MINER TRAINING</u>  <u>EXPERT WITNESS FOR DOJ</u></p>
<p>B) Dates (Month, Day, Year)</p> <p>From <u>July 1989</u> To <u>Oct 2006</u></p> <p>Total: Yrs. <u>17</u> Mos. <u>3</u></p> <p>Hrs. per week <u>40</u> Volunteer <input type="checkbox"/></p>	<p>Title</p> <p><u>DIRECTOR HEALTH, SAFETY, ENVIRONMENTAL</u></p> <p>Employer's Name and Address</p> <p><u>AKER KVAERNER METALS</u>  <u>12,500 Alcosta Blvd,</u>  <u>SAN RAMON, CA</u>  <u>94583</u></p>	<p>Duties Performed</p> <p><u>OVERSAW HSE &amp; Q</u>  <u>ACTIVITIES FOR METALS</u>  <u>PROJECTS WORLDWIDE</u>  <u>CONDUCTED HSE &amp; Q</u>  <u>AUDITS</u>  <u>MANAGED MULTIPLE</u>  <u>SITE REMEDIATION</u>  <u>PROJECTS</u></p>
<p>C) Dates (Month, Day, Year)</p> <p>From <u>Oct. 1985</u> To <u>July 1989</u></p> <p>Total: Yrs. <u>3</u> Mos. <u>10</u></p> <p>Hrs. per week <u>40</u> Volunteer <input type="checkbox"/></p>	<p>Title</p> <p><u>PRODUCT MANAGER</u></p> <p>Employer's Name and Address</p> <p><u>Joy Environmental</u>  <u>EQUIPMENT COMPANY</u>  <u>MONROVIA, CA</u></p>	<p>Duties Performed</p> <p><u>DEVELOPED AIR</u>  <u>POLLUTION CONTROL</u>  <u>SYSTEMS FOR</u>  <u>Boiler and INCINERATION</u>  <u>APPLICATIONS.</u></p>
<p>D) Dates (Month, Day, Year)</p> <p>From <u>MAY 80</u> To <u>OCT. 82</u>  <u>JAN 84</u> <u>OCT. 85</u></p> <p>Total: Yrs. <u>4</u> Mos. <u>3</u></p> <p>Hrs. per week <u>40</u> Volunteer <input type="checkbox"/></p>	<p>Title</p> <p><u>MANAGER</u>  <u>RESEARCH &amp; DEVELOPMENT</u></p> <p>Employer's Name and Address</p> <p><u>NIRO ATOMIZER</u>  <u>GLAD SAXEVEJ 305</u>  <u>SOEBORD, DENMARK</u></p>	<p>Duties Performed</p> <p><u>DEVELOPED AIR POLLUTION</u>  <u>CONTROL-SYSTEMS FOR</u>  <u>POWER &amp; INDUSTRIAL</u>  <u>BOILERS AND MUNICIPAL</u>  <u>AND HAZARDOUS WASTE</u>  <u>INCINERATORS</u>  <u>DEVELOPED USES FOR</u>  <u>END PRODUCTS FROM</u>  <u>AIR POLLUTION SYSTEMS</u></p>



## 7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other COLLEAGUE

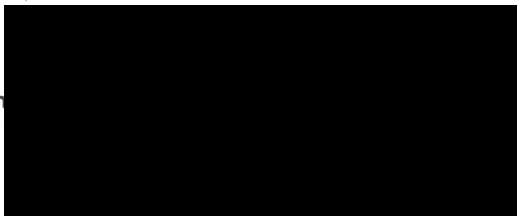
8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐If Yes, please identify the nature of the relationship: 

## 9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

No ☒ Yes ☐If Yes, please identify the nature of the relationship: 

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name



Date

Nov. 9, 2015

## Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.



Contra  
Costa  
County

RECEIVED  
FEB 01 2016

BOARD OF SUPERVISORS  
CONTRA COSTA CO.

For Office Use Only

Date Received:

For Reviewers Use Only:

Accepted

Rejected

Print Form

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:

Contra Costa County  
CLERK OF THE BOARD  
651 Pine Street, Rm. 106  
Martinez, California 94553-1292

PLEASE TYPE OR PRINT IN INK

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Contra Costa Integrated Pest Management Advis

Public Member Seat

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. Name: Flores Nati V  
(Last Name) (First Name) (Middle Name)

2. Address: [Redacted] Antioch CA 94531  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. Phones: [Redacted]  
(Home No.) (Work No.) (Cell No.)

4. Email Address: [Redacted]

5. EDUCATION: Check appropriate box if you possess one of the following:

High School Diploma ☐ G.E.D. Certificate ☐ California High School Proficiency Certificate ☒

Give Highest Grade or Educational Level Achieved Some College

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Diablo Valley College	Business Management	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	3		Cert	NA
B)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded:			
Pesticide Free Bed Bug Management		24	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			

THIS FORM IS A PUBLIC DOCUMENT

7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other Bed Bug Task Force

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

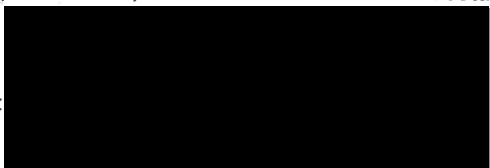
If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No ☐ Yes ☒

If Yes, please identify the nature of the relationship: employer: Tobacco Prevention & Workforce Develop

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name:



Date:

1/28/16

### Important Information

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3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
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7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.



# CERTIFICATE OF COMPLETION

LSA FAMILY HEALTH SERVICE, INC.'S  
ENVIRONMENTAL HEALTH CONSULTATION PROGRAM

HEREBY CERTIFIES THAT

**NATI V. FLORES**

HAS SUCCESSFULLY COMPLETED  
A 24-HOUR COURSE OF STUDY IN  
INTEGRATED PEST MANAGEMENT FOR BED BUGS

MARCH 7 THROUGH MARCH 12, 2011  
AT THE MICHAEL CHAVEZ CENTER  
CONCORD, CALIFORNIA



Ray Lopez

Indoor Environmental Health Consultant

# NATI V. FLORES

• Antioch, CA 94531

## OBJECTIVE

I Live in Contra Costa, I have two young children and I believe the health of the residents and environment should be a priority when making decisions on pest management tactics, therefore I would like to contribute by applying for the public seat at the Contra Costa Integrated Pest Management Advisory Committee.

## SUMMARY OF QUALIFICATIONS

- Responsible and reliable
- Excellent communications skills, written and oral
- Bilingual in Spanish
- Cultural competency with Latino Community
- First had experience in managing bed bugs without the use of pesticides
- Can work well with others

## PROFESSIONAL HISTORY AND ACHIEVEMENT

2010- Present

Monument Impact, Concord Ca

### *Program Manager*

- Served as Program Director to support ED on leave
- Manage Economic Development and Community Health projects: Volunteer Income Tax Assistance (VITA), Financial Education, Access to Health, Promotores, Worker program, Neighborhood action teams.
- Managed several collaborative projects with private and public organizations.
- Served in Fund Development Team, writing grant proposals, work plans, pilot projects, and reports
- Day Worker Program: secured and increased funding for five consecutive years. Improved communication barriers resulting in improved work ethic, team work and higher job placement numbers.
- Mentored and managed three micro businesses: keep all legal documents including financial records, tax, and insurance, bylaws and others for owners. Communicate with customers to ensure we offer high quality services.
- Provide bed bug cleaning services to over 100 families without the use of chemicals
- Assist clients to recover unpaid wages
- Implemented first health promoters program collaborating to organize the first annual Health Promoters conference in Contra Costa with an attendance of 169 community volunteers.
- Facilitate and lead meetings for staff, program members and residents: Create agendas, take minutes, evaluate results and create reports.
- Act as receptionist when needed: assist clients looking for services or resources, order supplies, ensure all equipment was working properly, answer phones, and make appointments, staff reception to cover absences.
- Met goals consistently in every program

2008 - 2010

Hospice Foundation of the East Bay, Pleasant Hill, CA

### *Assistant General Manager*

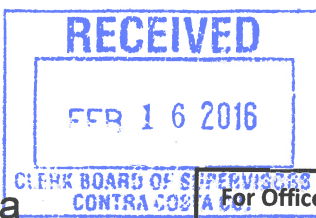
- Train and develop employees; maintain and establish interpersonal relationships at all levels to ensure good employee morale. Coordinate and plan staffing; including absences, flexing and time off. Participate in several committees within the organization. Increased sales and donations in three locations within three months increasing revenue, increasing donations, and staff productivity to prevent closures
- Oversee activities directly related to providing services and products. Review financial statements, sales, and activity reports to measure productivity. Implement and establish departmental policies and procedures conferring with General Manager as necessary
- Coordinate and supervise Diablo Appraisal and Estate Sales: set up and organize product for sale, reconcile cash, process Credit Card payments and checks, schedule deliveries of purchases

2005-2008

### *Retail Support and Donation Supervisor*



Contra  
Costa  
County



For Office Use Only

Date Received:

Print Form

For Reviewers Use Only:

Accepted Rejected

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

**MAIL OR DELIVER TO:**

Contra Costa County  
CLERK OF THE BOARD  
651 Pine Street, Rm. 106  
Martinez, California 94553-1292

**PLEASE TYPE OR PRINT IN INK**

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

IPM Advisory Committee

Public At Large

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Lanier, PhD Wayne Banks  
(Last Name) (First Name) (Middle Name)

2. **Address:** [Redacted] Walnut Creek CA 94595  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** [Redacted]  
(Home No.) (Work No.) (Cell No.)

4. **Email Address:** [Redacted]

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved PhD (Doctor of Philosophy)

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Oklahoma State University, Stillwater, Oklahoma +	Mathematics (Engineering minor) +	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	8		BS	1962
B) University of Chicago, Chicago, Illinois +	Microbial Genetics, Botany Department +	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>		12	MS	1966
C) University of Chicago, Chicago, Illinois +	Microbial Genetics, Genetics Committee +	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>		4	PhD	1967
D) Other schools / training completed: Oak Ridge National Laboratory, Biology Division, +	Course Studied Post-Doctoral Research in Microbial +	Hours Completed 1-year	Certificate Awarded: Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>			

THIS FORM IS A PUBLIC DOCUMENT



6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  1967      1973  Total: <u>Yrs.</u>   <u>Mos.</u>  6  Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p><b>Title</b>  Professor and Research Scientist</p> <hr/> <p><b>Employer's Name and Address</b>  3-years at Biology Dept., New York University, NY. (1967-1970).  then...  3-years at Biochemistry Dept., University of Texas Medical School, Dallas TX (1970-1973) <span style="border: 1px solid black; padding: 0 2px;">+</span></p>	<p><b>Duties Performed</b>  Teaching Pre-Med Biochemistry and Cellular Physiology... NYU</p> <hr/> <p>Teching Medical School Biochemistry and Human Genetics... UTD</p> <hr/> <p>Carrying out Research in Microbial Genetics at both Institutions.</p>
<p>B) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  Sept. 1973   Dec 1977  Total: <u>Yrs.</u>   <u>Mos.</u>  4      3  Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p><b>Title</b>  Professor of Genetics</p> <hr/> <p><b>Employer's Name and Address</b>  The Polytechnic of the South Bank, London University, London, England.</p>	<p><b>Duties Performed</b>  Teaching a graduate program in Microbial Genetics to physicians and medical technicians.</p>
<p>C) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  Jan 1978      Mar 2005  Total: <u>Yrs.</u>   <u>Mos.</u>  27      3  Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p><b>Title</b>  Consultant in Biotechnology</p> <hr/> <p><b>Employer's Name and Address</b>  For most of these 27-years, as a Consultant I was self-employed. For 4-years during this period I was an employee, see below. These companies mostly in SF Bay Area.</p>	<p><b>Duties Performed</b>  Advising Biotechnology and Pharmaceutical Companies on research issues, developing research programs, developing medical instruments, advising on regulatory issues [mostly FDA, but some USDA], developing Clinical Studies programs; developing product field tests in AgBiotech.</p>
<p>D) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  Jan 1974      Mar 1978  Total: <u>Yrs.</u>   <u>Mos.</u>  4      3  Hrs. per week <u>60</u> . Volunteer <input type="checkbox"/></p>	<p><b>Title</b>  Director of Research</p> <hr/> <p><b>Employer's Name and Address</b>  Biosis, Palo Alto, CA (Biosis, changed to Biosys) was later aquired by Archer, Daniels, Midland - ADM, moved to Maryland - and I left.</p>	<p><b>Duties Performed</b>  Managing a laboratory of 15-scientists and 1-technician during the development and testing of mass-produced microbial biopesticides [Biological Pest Control].</p>



7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other word of mouth

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship: \_\_\_\_\_

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No ☒ Yes ☐

If Yes, please identify the nature of the relationship: \_\_\_\_\_

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name \_\_\_\_\_

Date: \_\_\_\_\_

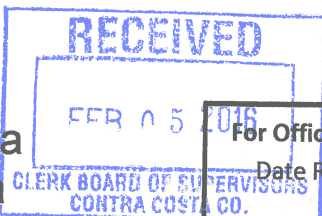
Feb. 16, 2016

### Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.



Contra  
Costa  
County



For Office Use Only

Date Received:

For Reviewers Use Only:

Accepted

Rejected

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

**MAIL OR DELIVER TO:**

Contra Costa County  
CLERK OF THE BOARD  
651 Pine Street, Rm. 106  
Martinez, California 94553-1292

**PLEASE TYPE OR PRINT IN INK**

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

C.C.C. IPM COMMITTEE

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

C.C. INTEGRATED PEST MGMT ADVISORY

PRINT EXACT SEAT NAME (if applicable)

1. Name:	<u>SINCLAIRE</u>	<u>JUSTIN</u>	<u>BYRON</u>
	(Last Name)	(First Name)	(Middle Name)
2. Address:	<u>CLAYTON, CA 94517</u>		
	(No.)	(Street)	(City) (State) (Zip Code)
3. Phones:	<u>[REDACTED]</u>		
	(Home No.)	(Work No.)	(Cell No.)
4. Email Address:	<u>[REDACTED]</u>		

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☐ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved B.S. MARKETING

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) <u>DIABLO VALLEY COLLEGE</u>	<u>GENERAL ED</u>	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<u>60</u>			
B) <u>UNIVERSITY OF MARY</u>	<u>BUSINESS MARKETING</u>	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<u>68</u>		<u>B.S.</u>	<u>6/2015</u>
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded Yes No <input type="checkbox"/> <input type="checkbox"/>			

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <u>6/95</u>    -    <u>8/96</u></p> <p>Total: <u>Yrs.</u>    <u>Mos.</u>  <u>1</u>    -    <u>2</u></p> <p>Hrs. per week <u>50</u> . Volunteer <input type="checkbox"/></p>	<p>Title  <u>SERVICE TECHNICIAN</u></p> <p>Employer's Name and Address  <u>DENEY PEST CONTROL</u>  <u>ROSEVILLE, CA</u></p>	<p>Duties Performed  <u>PERFORMED PEST</u>  <u>CONTROL SERVICES</u>  <u>TO RESIDENTIAL</u>  <u>&amp; COMMERCIAL</u>  <u>PROPERTIES</u></p>
<p>B) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  <u>8/96</u>    -    <u>PRESENT</u></p> <p>Total: <u>Yrs.</u>    <u>Mos.</u>  <u>19</u>    -    <u>6</u></p> <p>Hrs. per week <u>50-60</u> . Volunteer <input type="checkbox"/></p>	<p>Title  <u>DISTRICT MANAGER</u></p> <p>Employer's Name and Address  <u>ECOLAB</u>  <u>400 PLAZA DR. STEIN</u>  <u>FOUSOM, CA 95630</u></p>	<p>Duties Performed  <u>PERFORMED PEST CONTROL</u>  <u>SERVICES TO COMMERCIAL</u>  <u>CUSTOMERS FOR 8 YEARS -</u>  <u>LAST 11 YEARS IN AN</u>  <u>OPERATIONS MGMT ROLE.</u>  <u>TRAINING, TRAINING, SALES, MGMT.</u></p>
<p>C) Dates (Month, Day, Year)  <u>From</u>      <u>To</u></p> <p>Total: <u>Yrs.</u>    <u>Mos.</u></p> <p>Hrs. per week _____ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Employer's Name and Address</p>	<p>Duties Performed</p>
<p>D) Dates (Month, Day, Year)  <u>From</u>      <u>To</u></p> <p>Total: <u>Yrs.</u>    <u>Mos.</u></p> <p>Hrs. per week _____ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Employer's Name and Address</p>	<p>Duties Performed</p>

7. How did you learn about this vacancy?

☐ CCC Homepage    Walk-In    ☐ Newspaper Advertisement    ☐ District Supervisor    ☐ Other FRIENDS OF SPJSE

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No X Yes \_\_\_\_\_

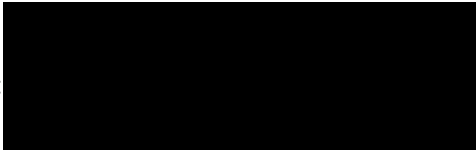
If Yes, please identify the nature of the relationship: \_\_\_\_\_

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No X Yes \_\_\_\_\_

If Yes, please identify the nature of the relationship: \_\_\_\_\_

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name:



Date:

1/28/2016

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# JUSTIN B SINCLAIRE

• Clayton, CA 94517 •

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**High performing Operations Manager with a distinguished 20 year record in B2B sales and Operational Management experience.**

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## QUALIFICATIONS

- Customer centric focused on cultivating relationships to better understand customer needs and expectations.
- Track record of building strong relationships at multiple levels. Demonstrated ability to work and support team environments. Agile value driven coach with a proven track record of success in building and leading high performing teams with a hands-on style of leadership. Promotes synergy, setting ambitious goals and working closely with employees to exceed business objectives.
- Ability to communicate and support company vision and mission. Strong communication skills both oral and written.
- Critical thinker and creative problem solver with an ability to think objectively and interpret meaningful themes from quantitative and qualitative data.
- Solid business acumen with ability to evaluate financial and business indicators. Excellent strategic planning ability to deliver short term results while maintaining long term strategy.
- Effective in a variety of presentation settings including one-on-one, small or large groups, as well as with peers and senior management.
- Solid track record of setting vision and aligning objectives with inspirational appeals and rational persuasion to motivate talent to excel beyond perceived capabilities.
- Demonstrated time management and organizational skills with the ability to manage details of multiple projects simultaneously.
- Adept at influential change management built upon open and honest communication.
- Strives to be the leader that others would want to follow.

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## EXPERIENCE

### DISTRICT MANAGER

*Ecolab Inc. Pest Elimination Division*

May 2006 - Present  
St. Paul, MN

- Responsible for managing over 1900 customer accounts exceeding \$4.8M in annual contract revenue with demonstrated ability to maximize growth objectives while minimizing business expenses. Consistently met and exceeded gross profit and operating income targets year over year.
- Attracted, developed, and led high performing teams of talent that execute pest elimination services in Hospitality, Healthcare, Restaurants and Food & Beverage facilities.
- Maintained a commitment to continuous development in market trends and fluctuations in food production standards to ensure compliance with regulatory agencies and third party auditors.
- Promoted an environment that fosters teamwork, camaraderie, and brotherhood focused on embracing the Ecolab culture through personal actions and behaviors.
- Executed strong leadership ability holding 22 direct reports accountable to high standards of excellence in customer service, route efficiency, business profitability, and solid execution of divisional protocols.
- Established solid working relationships in collaboration with sales and cross-divisional counterparts to maximize customer satisfaction and value delivery.
- Successfully developed and trained new employees to become efficient Service Specialist professionals, Associate District Managers, and Food & Beverage Specialists.
- Two year panel member on Ecolab's Field Advisory Board which provides strategic input that impacts field level execution on a national scale.
- Three time District of Excellence in Leadership award winner – 2008, 2011, & 2012.

## EXPERIENCE

### SERVICE SPECIALIST

*Ecolab Inc. Pest Elimination Division*

August 1996 – 2006

St. Paul, MN

- Delivered exceptional value and service delivery to customers in the greater San Francisco bay area market.
- Consistently grew route to exceed growth objectives nine out of ten years.
- Developed into Regional Termite Specialist performing termite inspections, sales, and treatments from 2003 to 2006.
- Three time Circle of Excellence award winner.
- Service Specialist of the Year Runner up 2005.
- Achieved Branch III State Certification.

### SERVICE TECHNICIAN

*Dewey Pest Control*

June 1995 – August 1996

Roseville, CA

- Delivered pest control services to residential and commercial customers in the Northern Sacramento market.
- Consistently grew route sales month after month.
- Achieved Branch II State certification.

## EDUCATION

### UNIVERSITY of MARY

BS Marketing

January 2012 – 2015

Bismarck, ND

### DIABLO VALLEY COLLEGE

General Education

August 2008 – December 2011

Pleasant Hill, CA

## CERTIFICATIONS

CALIFORNIA PCO BRANCH 2 & 3 OPERATORS LICENSE #OPR 12142  
DPR QAL CATEGORIES A&B

## SKILLS

PROFICIENCY IN MICROSOFT OUTLOOK, WORD, EXCEL, PUBLISHER & POWER POINT

PROFICIENCY IN UNDERSTANDING OF THE GLOBAL FOOD SAFETY INITIATIVE (GFSI)  
AND THIRD PARTY AUDITORS SUCH AS BRC, SQF, SILIKER, AND AIB

## MEMBER ORGANIZATIONS

TOASTMASTERS INTERNATIONAL – WORD WEAVERS OF CONCORD, CA



# Contra Costa County Board of Supervisors

## Subcommittee Report

### INTERNAL OPERATIONS COMMITTEE - SPECIAL

4.

**Meeting Date:** 02/29/2016  
**Subject:** NOMINATIONS TO THE HAZARDOUS MATERIALS COMMISSION  
**Submitted For:** William Walker, M.D., Health Services Director  
**Department:** Health Services  
**Referral No.:** IOC 16/5  
**Referral Name:** Advisory Body Recruitment  
**Presenter:** Julie DiMaggio Enea      **Contact:** Michael Kent (925) 313-6712

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#### **Referral History:**

In 2013, IOC reviewed Board Resolution Nos. 2011/497 and 2011/498, which stipulate that applicants for At Large/Non Agency-Specific seats on specified bodies are to be interviewed by a Board Committee. The IOC made a determination that it would conduct interviews for At Large seats on the following bodies: Retirement Board, Fire Advisory Commission, Integrated Pest Management Advisory Committee, Planning Commission, Treasury Oversight Board, Airport Land Use Commission, Aviation Advisory Committee and the Fish & Wildlife Committee; and that screening and nomination fill At Large seats on all other eligible bodies would be delegated each body or a subcommittee thereof. The IOC delegated the screening and nomination of Hazardous Materials Commission candidates to the Commission.

#### **Referral Update:**

The term for numerous seats on the Hazardous Materials Commission expired on December 31, 2015, creating vacancies. The Commission recruited and interviewed candidates for the vacant seats and makes nominations to the IOC to fill the seats, as explained in the attached transmittal letter. Recruitment materials and candidate applications are attached for information.

#### **Recommendation(s)/Next Step(s):**

APPROVE Hazardous Materials Commission nominations to appoint the following individuals to the Commission to terms ending on December 31, 2019:

Action	Nominee	Seat	Nominated By
Reappoint	Frank Gordon	General Public	Commission
Reappoint	Tim Bancroft	General Public Alternate	Commission



Reassign	Usha Vedagiri	Environmental Organizations #2	Commission
Reappoint	Jim Payne	Labor #2	Central Labor Council
Reappoint	Tracy Scott	Labor #2 Alternate	Central Labor Council

**Fiscal Impact (if any):**

No fiscal impact.

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**Attachments**

Transmittal Hazardous Materials Commission Nominations

Candidate Application HMC Frank Gordon

Candidate Application HMC Timothy Bancroft

Candidate Application HMC Usha Vedagiri

Candidate Application HMC Charles Davidson

Candidate Application HMC James Payne

Candidate Application HMC Tracy Scott

Env Seat Flyer

Env Seat Press Release

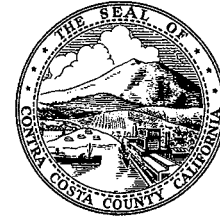
Gen Pub Flyer

Gen Pub Press Release

USW Nomination Letter

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# **CONTRA COSTA COUNTY HAZARDOUS MATERIALS COMMISSION**



February 18, 2016

## **MEMO**

**To:** Internal Operations Committee

**From:** Michael Kent, Executive Assistant to the Hazardous Materials Commission *MK*

**Re:** Appointment Recommendations to the Hazardous Materials Commission

The Hazardous Materials Commission was established in 1986 to advise the Board, County Staff and the mayor's council members, and staffs of the cities within the County, on issues related to the development, approval and administration of the County Hazardous Waste Management Plan. Specifically, the Board charged the Commission with drafting a Hazardous Materials Storage and Transportation Plan and Ordinance, coordinating the implementation of the Hazardous Materials Release Response Plan and inventory program, and to analyze and develop recommendations regarding hazards materials issues with consideration to broad public input, and report back to the Board on Board referrals.

The bylaws of the Commission provide that Environmental Seat #2 be nominated by an environmental organization, but that no particular environmental organization will have an exclusive right to nominate an individual to this seat and therefore, which environmental organization is represented on the Hazardous Materials Commission rests with the Internal Operations Committee and ultimately the Board of Supervisors. This term for this seat expired on December 31, 2015. The Hazardous Materials Commission advertised for this open seat, interviewed two candidates, and on January 28, 2016 unanimously voted to recommend that Usha Vedagiri be re-assigned from her current position as the alternate for Environmental Seat # 3. The Commission is also recommending that her current seat be vacated and the vacancy be posted by the Clerk of the Board for 10 days. The outreach materials are attached. The term for this seat expires on December 31, 2019.

The bylaws of the Commission also provide that the General Public Seat and General Public Seat Alternate be appointed by the Board of Supervisors. The terms for these seats expired on December 31, 2015. The Hazardous Materials Commission advertised for these open seats and received two applicants and on January 28, 2016 unanimously voted to re-appoint Frank Gordon

*Members: George Smith, Chair, Rick Alcaraz, Don Bristol, Matthew Buell, Lara DeLaney, Frank Gordon, Fred Glueck, Steven Linsley, Jim Payne, Ralph Sattler, Leslie Stewart,*

and Tim Bancroft to these seats. Their applications and outreach materials are attached. The terms for these seats expire on December 31, 2019.

The bylaws of the Commission also provide that Labor Seat #2 and Labor Seat #2 Alternate be nominated by labor organizations, screened by the Internal Operations Committee and appointed by the Board of Supervisors. The Central Labor Council of Contra Costa County has nominated to re-appoint Jim Payne to Labor Seat #2 and Tracy Scott to Labor Seat # 2 Alternate. Their applications and letter of nomination are attached. The terms for these seats expires on December 31, 2019.

*Members: George Smith, Chair, Rick Alcaraz, Don Bristol, Matthew Buell, Lara DeLaney, Frank Gordon, Fred Glueck, Steven Linsley, Jim Payne, Ralph Sattler, Leslie Stewart,*

*597 Center Ave., Suite 200 Martinez, CA 94553 (925) 313-6712*



Contra  
Costa  
County

For Office Use Only  
Date Received:

For Reviewers Use Only:  
Accepted Rejected

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

**MAIL OR DELIVER TO:**

Contra Costa County  
CLERK OF THE BOARD  
651 Pine Street, Rm. 106  
Martinez, California 94553-1292

**PLEASE TYPE OR PRINT IN INK**

(Each Position Requires a Separate Application)

**BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:**

Hazardous Materials Commission

General Public Seat

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Gordon, Frank Dale  
(Last Name) (First Name) (Middle Name)
2. **Address:** [REDACTED] Pittsburg, CA 94565  
(No.) (Street) (Apt.) (City) (State) (Zip Code)
3. **Phones:** [REDACTED]  
(Home No.) (Work No.) (Cell No.)
4. **Email Address:** [REDACTED]

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved 2 1/2 years of college

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Vallejo Jr. College	Engineering	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	4			
B) Fullerton Jr. College	Business	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	2			
C) Los Medanos College	Computer Science	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	2			
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			
Life Underwriter Training Council	Business Insurance	120				

THIS FORM IS A PUBLIC DOCUMENT

**6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.**

<p>A) Dates (Month, Day, Year)</p> <p>From <input type="text"/> To <input type="text"/></p> <p><input type="text"/> 2002 <input type="text"/> Present</p> <p>Total: Yrs. <input type="text"/> Mos. <input type="text"/></p> <p><input type="text"/> 10 <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input checked="" type="checkbox"/></p>	<p>Title</p> <p><input type="text"/></p> <p>Member - General Public Seat</p> <p>Employer's Name and Address</p> <p><input type="text"/></p> <p>Hazardous Materials Commission</p>	<p>Duties Performed</p> <p><input type="text"/></p> <p>Planning and Policy Committee. Advise on changes to the Industrial Safety Ordinance. Make policy recommendations to HazMat Commission. Advise Board of Supervisors on issues related to Hazardous Materials handling in Contra Costa County.</p>
<p>B) Dates (Month, Day, Year)</p> <p>From <input type="text"/> To <input type="text"/></p> <p><input type="text"/> 2000 <input type="text"/> 2010</p> <p>Total: Yrs. <input type="text"/> Mos. <input type="text"/></p> <p><input type="text"/> 10 <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input checked="" type="checkbox"/></p>	<p>Title</p> <p><input type="text"/></p> <p>Community Advisory Panel</p> <p>Employer's Name and Address</p> <p><input type="text"/></p> <p>Dow Chemical Company Pittsburg, CA</p>	<p>Duties Performed</p> <p><input type="text"/></p> <p>Advise DOW of issues that the public may have about safe operation of their plant. Work with public on issues pertaining to DOW operation.</p>
<p>C) Dates (Month, Day, Year)</p> <p>From <input type="text"/> To <input type="text"/></p> <p><input type="text"/> 1988 <input type="text"/> 1996</p> <p>Total: Yrs. <input type="text"/> Mos. <input type="text"/></p> <p><input type="text"/> 8 <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input checked="" type="checkbox"/></p>	<p>Title</p> <p><input type="text"/></p> <p>Pittsburg Planning Commission</p> <p>Employer's Name and Address</p> <p><input type="text"/></p> <p>City of Pittsburg</p>	<p>Duties Performed</p> <p><input type="text"/></p> <p>Made Decisions pertaining to Planning of Housing and Industrial properties in the City of Pittsburg. Worked with CEQUA and EIR issues. Attended League of California Cities Planning conferences. Commission Chair -2 years.</p>
<p>D) Dates (Month, Day, Year)</p> <p>From <input type="text"/> To <input type="text"/></p> <p><input type="text"/> 2004 <input type="text"/> 2006</p> <p>Total: Yrs. <input type="text"/> Mos. <input type="text"/></p> <p><input type="text"/> 2 <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input checked="" type="checkbox"/></p>	<p>Title</p> <p><input type="text"/></p> <p>Pittsburg Planning Commission</p> <p>Employer's Name and Address</p> <p><input type="text"/></p> <p>City of Pittsburg</p>	<p>Duties Performed</p> <p><input type="text"/></p> <p>Made Decisions pertaining to Planning of Housing and Industrial properties in the City of Pittsburg. Attended League of California Cities Planning conferences. Commission Chair -1 years.</p>

7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other Currently hold seat.

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Nam

Date:

*10/20/2015*

### Important Information

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**THIS FORM IS A PUBLIC DOCUMENT**





Contra  
Costa  
County

For Office Use Only

RECEIVED  
Date Received:

OCT 19 2015

CLERK BOARD OF SUPERVISORS  
CONTRA COSTA COUNTY

For Reviewers Use Only:

Accepted Rejected

## BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

**MAIL OR DELIVER TO:**

Contra Costa County  
CLERK OF THE BOARD  
651 Pine Street, Rm. 106  
Martinez, California 94553-1292

**PLEASE TYPE OR PRINT IN INK**

(Each Position Requires a Separate Application)

**BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:**

Hazardous Materials Commission

Alternate to General Public Seat

**PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION**

**PRINT EXACT SEAT NAME (if applicable)**

1. Name:	Bancroft	Timothy	Alan			
	(Last Name)	(First Name)	(Middle Name)			
2. Address:	[REDACTED]		Danville	CA	94526	
	(No.)	(Street)	(Apt.)	(City)	(State)	(Zip Code)
3. Phones:	[REDACTED]		[REDACTED]			
	(Home No.)	(Work No.)	(Cell No.)			
4. Email Address:	[REDACTED]					

**5. EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved Bachelor of Science

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) San Jose State University	Chemical Engineering	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			B.S.	May 2000
B) California State University Chico	Chemistry	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			B.S.	May 1996
C) Modesto Junior College	Physical Science	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			A.S.	May 1993
D) Other schools / training completed	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

THIS FORM IS A PUBLIC DOCUMENT

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)</p> <p>From <input type="text"/> To <input type="text"/></p> <p><input type="text"/> 12/1997 <input type="text"/> Present</p> <p>Total: Yrs. <input type="text"/> Mos. <input type="text"/></p> <p><input type="text"/> 17 <input type="text"/> 10</p> <p>Hrs. per week <input type="text"/> 40+ . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p><input type="text"/> Principal Chemical Engineer</p> <p>Employer's Name and Address</p> <p><input type="text"/> Integrated Engineering Services 70 Saratoga Ave Santa Clara, CA 95051</p>	<p>Duties Performed</p> <p><input type="text"/> I have over ten years of Environmental, Hazardous Materials, and related Chemical Engineering experience including an extensive regulatory background focusing on hazardous materials handling, waste treatment, and code compliance in the Biopharmaceutical, Semiconductor and Renewal Energy industries.</p>
<p>B) Dates (Month, Day, Year)</p> <p>From <input type="text"/> To <input type="text"/></p> <p><input type="text"/> 2/26/2008 <input type="text"/> Present</p> <p>Total: Yrs. <input type="text"/> Mos. <input type="text"/></p> <p><input type="text"/> 7 <input type="text"/> 8</p> <p>Hrs. per week <input type="text"/> . Volunteer <input checked="" type="checkbox"/></p>	<p>Title</p> <p><input type="text"/> Alternate to General Public Seat</p> <p>Employer's Name and Address</p> <p><input type="text"/> Contra Costa County Hazardous Materials Commission, Alternate to the General Public Seat</p>	<p>Duties Performed</p> <p><input type="text"/> I currently hold the position as the Alternate Member to the General Public Seat Member on the commission.</p>
<p>C) Dates (Month, Day, Year)</p> <p>From <input type="text"/> To <input type="text"/></p> <p><input type="text"/> 10/2006 <input type="text"/> Present</p> <p>Total: Yrs. <input type="text"/> Mos. <input type="text"/></p> <p><input type="text"/> 9 <input type="text"/> 0</p> <p>Hrs. per week <input type="text"/> . Volunteer <input checked="" type="checkbox"/></p>	<p>Title</p> <p><input type="text"/> Home Owner</p> <p>Employer's Name and Address</p> <p><input type="text"/> 1927 Saint Norbert Drive, Danville, CA</p>	<p>Duties Performed</p> <p><input type="text"/> This is my personal residence, which is in Contra Costa County. This entry serves as my qualifications for the position to be a current resident of Contra Costa County.</p>
<p>D) Dates (Month, Day, Year)</p> <p>From <input type="text"/> To <input type="text"/></p> <p><input type="text"/> <input type="text"/> <input type="text"/></p> <p>Total: Yrs. <input type="text"/> Mos. <input type="text"/></p> <p><input type="text"/> <input type="text"/> <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p><input type="text"/></p> <p>Employer's Name and Address</p> <p><input type="text"/></p>	<p>Duties Performed</p> <p><input type="text"/></p>

7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name

Date:

10/14/2015

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## **Timothy A. Bancroft**

[REDACTED]  
Danville, CA 94526  
[REDACTED]

### **Objective**

I am seeking an opportunity to serve as a member on the Contra Costa County Hazardous Materials Commission, Alternate to the General Public Seat.

### **Education**

San Jose State University, San Jose, CA  
**Bachelor of Science in Chemical Engineering, May 2000**

California State University Chico, Chico, CA  
**Bachelor of Science in Chemistry, May 1996**

#### **Licenses**

State of California Registered Professional Chemical Engineer, #CH6225, NCEES Record #46770

#### **Computer Skills:**

Windows XP, Word, Excel, PowerPoint, Outlook, Internet Explorer, AutoCAD 2013, File Maker Pro, Microsoft Server 2008, Microsoft Server 2012, Desktop Support, Corporate Email Controller SMTP/POP3, Network Protocols/IP addressing, Critical Data Backup, Archival and File Architecture setup on corporate servers, remote access, corporate smart phone integration and set up, specialty computer builds/super builds for graphics intensive applications as well as day to day desktops for company.

### **Experience**

Dec. 1997-Present  
Santa Clara, CA

#### **Chemical & Engineering Consultation**

Integrated Engineering Services

- Providing consulting expertise for the proper storage, handling and use of hazardous materials to private businesses and regulatory agencies.
- Permitting and regulatory requirements for SPCC plans, HMBPs, HMIS, RMPs, USTs, ASTs wastewater discharge permits, air quality permits, and the Toxic Gas Ordinance (TGO).
- I.B.C.O. certification and experience with the requirements of the Uniform Fire, Building, Mechanical, and Electrical codes.
- I.C.C. certification and knowledge with the requirements of the new 2013 California Codes.
- Experience with the implementation of numerous NFPA standards, BAAQMD, EPA, local bay area city regulatory codes, OSHA safe practice requirements, and cGMP standards.

#### **Chemical & Engineering Design**

- Design of hazardous production material handling systems such as chemical fume hoods, valve manifold boxes, gas cabinets, and Highly Toxic/Pyrophoric gas process piping for the Semiconductor, Biotech, Pharma, Food and Beverage, Automotive, Universities, Hospitals, and Renewable Energy industries.
- Design of hazardous waste process piping, collection, and aboveground storage tank systems for the Biopharmaceutical Research industries and Semiconductor Fabrication facilities.
- Design of Hazardous Occupancy areas including explosion control, ventilation and secondary containment.

#### **Hazardous Materials and Waste Regulation**

- Provided on site consulting and inspection services as interim manager of the Petroleum Underground Storage Tank Program for a local Bay Area Fire Department CUPA.
- Performed Fire Code and Life Safety Inspections of existing and new facilities which handled/stored Hazardous materials.
- Performed plan check services for new construction to ensure compliance with applicable state and local hazardous waste regulations including Hazwaste Tank Title 22 sec. 66265.192 certifications
- Oversaw the removal and remediation of leaking underground storage tank sites (LUSTs).
- Provided Code interpretation requests and reviewed alternate means and methods/practical difficulty construction requests from contactors and the general public.

### **Certifications & Affiliations**

- 40-Hour Hazardous Waste Site Worker CFR Section 1910.120(e)(9), Management and Supervision of Hazardous Waste Operators per CFR 1910.120(e)(4), and as a Qualified Trainer per CFR 1910.120(e)(5).
- National Fire Protection Association (NFPA) member
- California State Fire Marshal's Fire Prevention 1A
- Contra Costa County Hazardous Materials Commission, (Public Seat, Alternate Commissioner)





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**BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:**

Hazardous Materials Commission

Environmental Seat

**PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION**

**PRINT EXACT SEAT NAME (if applicable)**

1. **Name:** Vedagiri Usha  
(Last Name) (First Name) (Middle Name)

2. **Address:** [REDACTED] Walnut Creek, CA 94598  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** [REDACTED]  
(Home No.) (Work No.) (Cell No.)

4. **Email Address:** [REDACTED]

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved Ph.D., Environmental Science

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Rutgers University, New Brunswick, NJ	Environmental Science	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			Ph.D.	1989
B) University of Akron, Akron, OH	Urban Studies	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			M.A.	1980
C) Ethiraj College, Chennai, India	Botany, Zoology, Chemistry	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			B.Sc.	1978
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

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6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  1998          Current  Total: <u>Yrs.</u>    <u>Mos.</u>  15  Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title  Principal Risk Assessor  Employer's Name and Address  AECOM, 1333, Broadway, Ste 800,  Oakland, CA, 94612</p>	<p>Duties Performed  Manage Northern California Risk Assessment group, lead and perform human health risk assessments (HHRAs), ecological risk assessments (ERAs) and community health impact assessments (HIAs)</p>
<p>B) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  2004          2006  Total: <u>Yrs.</u>    <u>Mos.</u>  2  Hrs. per week <u>30</u> . Volunteer <input type="checkbox"/></p>	<p>Title  Senior Technologist  Employer's Name and Address  CH2MHill, Oakland, CA</p>	<p>Duties Performed  Led and performed HHRAs and ERAs.</p>
<p>C) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  1994          1998  Total: <u>Yrs.</u>    <u>Mos.</u>  5  Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title  Senior Scientist  Employer's Name and Address  EA Engineering, Lafayette, CA</p>	<p>Duties Performed  Led and performed HHRAs and ERAs</p>
<p>D) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  1989          1994  Total: <u>Yrs.</u>    <u>Mos.</u>  5  Hrs. per week <u>40</u> . Volunteer <input type="checkbox"/></p>	<p>Title  Senior Environmental Scientist  Employer's Name and Address  IT Corporation, Edison, NJ</p>	<p>Duties Performed  Led and performed environmental impact assessments, wetland delineations, biological surveys, aquatic and terrestrial studies, risk assessments</p>



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### BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Hazardous Materials Commission

Environmental

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Davidson Charles Jay  
(Last Name) (First Name) (Middle Name)

2. **Address:** [REDACTED] Hercules CA 94547  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** [REDACTED]  
(Home No.) (Work No.) (Cell No.)

4. **Email Address:** [REDACTED]

### 5. EDUCATION: Check appropriate box if you possess one of the following:

High School Diploma ☒ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved 2-3 years graduate school plus a doctor of chiropractic degree

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Life Chiropractic College - Hayward CA	Chiropractic - doctorate	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			Doctor	2009
B) Wayne State University - Detroit MI	graduate level radiation physics; cancer biology	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	12 - non-n			
C) University of Michigan	graduate level physics and an undergraduate degree	Yes No <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	8 - non-m		BGS	1984
D) Other schools / training completed: University of California - Berkeley	Course Studied grad. level Molecular Biology; Immunology	Hours Completed ~16 hours - non-metriculated graduate	Certificate Awarded: Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>			

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<p>A) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  Aug 2013    Current    Total: <u>Yrs.</u>    <u>Mos.</u>    Hrs. per week ____ . Volunteer <input checked="" type="checkbox"/></p>	<p>Title  Volunteer - Technical Researcher    Employer's Name and Address  SunFlower Alliance  sunflower-alliance.org  (A,C-D)</p>	<p>Duties Performed  Founding member of the SFA - a East Bay environmental justice organization that is allied with community-based environmental activist groups in multiple local pollution-impacted communities...    The SFA advocates for a cleaner environment, for a just transition to a vastly expanded renewable...  (cont. section C-D, below)</p>
<p>B) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  15 July 03 .    Total: <u>Yrs.</u>    <u>Mos.</u>    Hrs. per week ____ . Volunteer <input type="checkbox"/></p>	<p>Title  US Patent Publication    Employer's Name and Address  West Contra Cost County Sierra Club</p>	<p>Duties Performed  USPTO - US 6594335 - X-ray phase-contrast medical micro-imaging methods (2003)    WCCSC - Energy Pollicy Liason (2014-5). Regularly inform SC Board regarding refineries, pollution, transportation and energy, at monthly board meetings or within the interim.</p>
<p>C) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  Aug 2013    Total: <u>Yrs.</u>    <u>Mos.</u>    Hrs. per week ____ . Volunteer <input type="checkbox"/></p>	<p>Title  SFA - Volunteer (A)    Employer's Name and Address  SunFlower Alliance  sunflower-alliance.org  (cont. from section A)</p>	<p>Duties Performed  energy portfolio and generally, for social, environmental and economic justice. Coordinating activities with allied organizations and individuals throughout greater Contra Costa County from Pittsburg and Benecia to Oakland and lobbying pubic agencies (such as BAAQMD, the Board of Supervisors and Cities)..</p>
<p>D) Dates (Month, Day, Year)  <u>From</u>      <u>To</u>  Aug 2013    Total: <u>Yrs.</u>    <u>Mos.</u>    Hrs. per week ____ . Volunteer <input type="checkbox"/></p>	<p>Title  SFA - Volunteer (A)    Employer's Name and Address  SunFlower Alliance  sunflower-alliance.org  (cont. from section C)</p>	<p>Duties Performed  My work with the SFA includes analyzing and commenting on the Environmental Impact Reports (EIRs) of Bay Area refineries, allied refinery infrasturcture and the chemical constituents and processes involved in fossil fuel production.</p>

7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other Dr. H. Clark / Maria Allegría

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship: \_\_\_\_\_

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations? No ☒ Yes ☐

If Yes, please identify the nature of the relationship: \_\_\_\_\_

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name: \_\_\_\_\_

Date: \_\_\_\_\_

11-04-2015

### Important Information

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BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Hazardous Materials Commission

Labor Seat 2 - USW Local 5

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. Name: Payne, James A

(Last Name)

(First Name)

(Middle Name)

2. Address: [Redacted] Martinez, CA 94553-0034

(No.)

(Street)

(Apt.)

(City)

(State)

(Zip Code)

3. Phones: [Redacted]

(Home No.)

(Work No.)

(Cell No.)

4. Email Address: [Redacted]

5. EDUCATION: Check appropriate box if you possess one of the following:

High School Diploma ☐ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) [Redacted]	[Redacted]	Yes No <input type="checkbox"/> <input type="checkbox"/>	[Redacted]	[Redacted]	[Redacted]	[Redacted]
B) [Redacted]	[Redacted]	Yes No <input type="checkbox"/> <input type="checkbox"/>	[Redacted]	[Redacted]	[Redacted]	[Redacted]
C) [Redacted]	[Redacted]	Yes No <input type="checkbox"/> <input type="checkbox"/>	[Redacted]	[Redacted]	[Redacted]	[Redacted]
D) Other schools / training completed:	Course Studied	Hours Completed	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			
[Redacted]	[Redacted]	[Redacted]				

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<p>A) Dates (Month, Day, Year)</p> <p>From To</p> <p>4/1/1977 present</p> <p>Total: Yrs. Mos.</p> <p>38 9</p> <p>Hrs. per week 40 . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Secretary-Treasurer</p> <p>Employer's Name and Address</p> <p>USW Local 5 1333 Pine Street, Suite A Martinez, CA 94553</p>	<p>Duties Performed</p> <p>Union Representative</p>
<p>B) Dates (Month, Day, Year)</p> <p>From To</p> <p><input type="text"/> <input type="text"/></p> <p>Total: Yrs. Mos.</p> <p><input type="text"/> <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p><input type="text"/></p> <p>Employer's Name and Address</p> <p><input type="text"/></p>	<p>Duties Performed</p> <p><input type="text"/></p>
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<p>D) Dates (Month, Day, Year)</p> <p>From To</p> <p><input type="text"/> <input type="text"/></p> <p>Total: Yrs. Mos.</p> <p><input type="text"/> <input type="text"/></p> <p>Hrs. per week <input type="text"/> . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p><input type="text"/></p> <p>Employer's Name and Address</p> <p><input type="text"/></p>	<p>Duties Performed</p> <p><input type="text"/></p>

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No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

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Sign Name: \_\_\_\_\_

Date: 11/21/2016

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Martinez, California 94553-1292

PLEASE TYPE OR PRINT IN INK

(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Hazardous Materials Commission

Labor Seat 2 - USW Local 5 (Alternate)

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Scott, Tracy W  
(Last Name) (First Name) (Middle Name)

2. **Address:** [Redacted] Martinez, CA 94553-0034  
(No.) (Street) (Apt.) (City) (State) (Zip Code)

3. **Phones:** [Redacted]  
(Home No.) (Work No.) (Cell No.)

4. **Email Address:** [Redacted]

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma ☐ G.E.D. Certificate ☐ California High School Proficiency Certificate ☐

Give Highest Grade or Educational Level Achieved

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) [Redacted]	[Redacted]	Yes No <input type="checkbox"/> <input type="checkbox"/>	[Redacted]	[Redacted]	[Redacted]	[Redacted]
B) [Redacted]	[Redacted]	Yes No <input type="checkbox"/> <input type="checkbox"/>	[Redacted]	[Redacted]	[Redacted]	[Redacted]
C) [Redacted]	[Redacted]	Yes No <input type="checkbox"/> <input type="checkbox"/>	[Redacted]	[Redacted]	[Redacted]	[Redacted]
D) Other schools / training completed: [Redacted]	Course Studied [Redacted]	Hours Completed [Redacted]	Certificate Awarded: Yes No <input type="checkbox"/> <input type="checkbox"/>			

THIS FORM IS A PUBLIC DOCUMENT

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year)</p> <p>From To</p> <p>10/17/2000 present</p> <p>Total: Yrs. Mos.</p> <p>15 2</p> <p>Hrs. per week 40 . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Staff Representative</p> <p>Employer's Name and Address</p> <p>USW Local 5 1333 Pine Street, Suite A Martinez, CA 94553</p>	<p>Duties Performed</p> <p>Union Representative</p>
<p>B) Dates (Month, Day, Year)</p> <p>From To</p> <p>Total: Yrs. Mos.</p> <p>Hrs. per week . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Employer's Name and Address</p>	<p>Duties Performed</p>
<p>C) Dates (Month, Day, Year)</p> <p>From To</p> <p>Total: Yrs. Mos.</p> <p>Hrs. per week . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Employer's Name and Address</p>	<p>Duties Performed</p>
<p>D) Dates (Month, Day, Year)</p> <p>From To</p> <p>Total: Yrs. Mos.</p> <p>Hrs. per week . Volunteer <input type="checkbox"/></p>	<p>Title</p> <p>Employer's Name and Address</p>	<p>Duties Performed</p>



7. How did you learn about this vacancy?

☐ CCC Homepage ☐ Walk-In ☐ Newspaper Advertisement ☐ District Supervisor ☒ Other

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

9. Do you have any financial relationships with the County such as grants, contracts, or other economic relations?

No ☒ Yes ☐

If Yes, please identify the nature of the relationship:

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name

Date:

01.21.16

#### Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: **651 Pine Street, Room 106, Martinez, CA 94553.**
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.



**\*\* PLEASE POST or DISTRIBUTE \*\***

## **CONTRA COSTA COUNTY HAZARDOUS MATERIALS COMMISSION SEEKS APPLICANTS**

### **DO HAZARDOUS MATERIALS POLICY ISSUES INTEREST YOU?**

The Contra Costa County Hazardous Materials Commission is seeking applicants to fill an **Environmental Seat**.

You may apply if you ...

- are nominated by an environmental organization; or firm
- live or work in Contra Costa County;
- have demonstrated knowledge of hazardous materials issues;
- can commit to regular attendance at monthly Commission meetings and a monthly Committee meeting.

The Commission is a voluntary body appointed by the Board of Supervisors, and makes policy recommendations to the Board and County staff on issues concerning hazardous materials and hazardous waste.

The Commission's 13 members serve four-year terms and include representatives of industry, labor, civic groups, environmental organizations, environmental engineers, the general public, and the Mayors Conference.

To obtain an application form, or for further information, contact Michael Kent, Executive Assistant to the Commission, at (925) 313-6587. Applications may also be obtained from the Clerk of the Board located at 651 Pine Street 1<sup>st</sup> Floor, Martinez CA 94553.

You may also download an application from the County's website:

**<http://www.contracosta.ca.gov/DocumentView.aspx?DID=6433>**

**Filing Date:** Applications must be postmarked by November 5, 2015 and mailed to the Clerk of the Board.

Interviews for qualified applicants will take place from 10:00 am – 12:00 pm on November 13, 2015 at the North Richmond Center for Health, 1501 3<sup>rd</sup> Street, Richmond.

*Members: George Smith – Chair, Rick Alcaraz, Matthew Buell, Don Tatzin, Henry Clark, Lara DeLaney, Frank Gordon, Steven Linsley, Jim Payne, Fred Glueck, Ralph Sattler, Leslie Stewart, Don Bristol*

**597 Center Avenue, Suite 200, Martinez CA 94553 Phone (925) 313-6712 Fax (925) 313-6721**

CONTRA COSTA COUNTY  
**HAZARDOUS MATERIALS COMMISSION**



FOR IMMEDIATE RELEASE  
October 5, 2015

CONTACT: Michael Kent  
PHONE: (925) 313-6587

**HAZARDOUS MATERIALS COMMISSION SEEKS APPLICANTS**

**The Contra Costa County Hazardous Materials Commission is seeking applicants to fill an Environmental seat.**

The Commission is a voluntary body appointed by the Board of Supervisors, and makes policy recommendations to the Board and County staff on issues concerning hazardous materials and hazardous waste.

The Commission's 13 members serve four-year terms and include representatives of industry, labor, civic groups, environmental organizations, environmental engineers, the general public, and the Mayors Conference.

Applicants for the **Environmental Seat** must:

- be nominated by an environmental organization;
- have demonstrated knowledge of hazardous materials issues;
- live or work in Contra Costa County, and can commit to attending the monthly Commission and Committee meeting's;

To obtain an application form, or for further information, contact Michael Kent, Executive Assistant to the Commission, at (925) 313-6587. Applications may also be obtained from the Clerk of the Board located at 651 Pine St. 1<sup>st</sup> Fl., Martinez CA 94553. You may also download an application from the County's website:

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**\*\* PLEASE POST or DISTRIBUTE \*\***

## **CONTRA COSTA COUNTY HAZARDOUS MATERIALS COMMISSION SEEKS APPLICANTS**

### **DO HAZARDOUS MATERIALS POLICY ISSUES INTEREST YOU?**

The Contra Costa County Hazardous Materials Commission is seeking applicants to fill a **General Public and Alternate Seat**.

You may apply if you ...

- are able to represent a countywide public policy perspective, and are experienced in addressing public policy issues;
- live or work in Contra Costa County;
- have demonstrated knowledge of hazardous materials issues;
- can commit to regular attendance at monthly Commission meetings and a monthly Committee meeting.

The Commission is a voluntary body appointed by the Board of Supervisors, and makes policy recommendations to the Board and County staff on issues concerning hazardous materials and hazardous waste.

The Commission's 13 members serve four-year terms and include representatives of industry, labor, civic groups, environmental organizations, environmental engineers, the general public, and the Mayors Conference.

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You may also download an application from the County's website:

[www.co.contra-costa.ca.us/maddybook/](http://www.co.contra-costa.ca.us/maddybook/)

**Filing Date:** Applications must be postmarked by November 5, 2015 and mailed to the Clerk of the Board.

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**Members:** *Members: George Smith – Chair, Rick Alcaraz, Don Tatzin, Henry Clark, Lara DeLaney, Frank Gordon, Steven Linsley, Jim Payne, Fred Glueck, Ralph Sattler, Leslie Stewart, Don Bristol, Matthew Buell*

*597 Center Avenue, Suite 200, Martinez CA 94553 (925) 313-6712 Fax (925) 313-6721*

CONTRA COSTA COUNTY  
**HAZARDOUS MATERIALS COMMISSION**



**FOR IMMEDIATE RELEASE**  
**October 5, 2015**

**CONTACT: Michael Kent**  
**PHONE: (925) 313-6587**

**HAZARDOUS MATERIALS COMMISSION SEEKS APPLICANTS**

**The Contra Costa County Hazardous Materials Commission is seeking applicants to fill a General Public and Alternate seat.**

The Commission is a voluntary body appointed by the Board of Supervisors, and makes policy recommendations to the Board and County staff on issues concerning hazardous materials and hazardous waste.

The Commission's 13 members serve four-year terms and include representatives of industry, labor, civic groups, environmental organizations, environmental engineers, the general public, and the Mayors Conference.

Applicants for the **General Public Seat** must:

- are able to represent a county wide public policy perspective, and are experienced in addressing public policy issues;
- be nominated by an environmental organization;
- have demonstrated knowledge of hazardous materials issues;
- live or work in Contra Costa County, and can commit to attending the monthly Commission and Committee meeting's, in the event the seat holder is unavailable;

To obtain an application form, or for further information, contact Michael Kent, Executive Assistant to the Commission, at (925) 313-6587. Applications may also be obtained from the Clerk of the Board located at 651 Pine St. 1<sup>st</sup> Fl., Martinez CA 94553. You may also download an application from the County's website:

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*Members: George Smith – Chair, Rick Alcaraz, Matthew Buell, Don Tatzin, Henry Clark, Lara DeLaney,  
Frank Gordon, Steven Linsley, Jim Payne, Fred Glueck, Ralph Sattler, Leslie Stewart, Don Bristol*



January 21, 2016

Michael Kent (Michael.Kent@hsd.cccounty.us)  
Contra Costa Health Services  
Hazardous Materials Ombudsman  
597 Center Avenue, Suite 100  
Martinez, CA 94553-4640

Dear Mr. Kent

The Contra Costa Central Labor Council nominates the following as our representatives on the Contra Costa County Hazardous Materials Commission:

Labor Seat #2 – USW Local 5 (Term: January 1, 2016 - December 31, 2019)

Jim Payne, Member

Tracy Scott, Alternate

Please let me know if you have any questions.

Sincerely,

Margaret Hanlon-Gradie  
Executive Director  
Contra Costa AFL-CIO Labor Council

Copy: Jim Payne (JPayne@usw5.org)  
Tracy Scott (TScott@usw5.org)





## Contra Costa County Board of Supervisors

### Subcommittee Report

#### INTERNAL OPERATIONS COMMITTEE - SPECIAL

5.

**Meeting Date:** 02/29/2016  
**Subject:** RECRUITMENT PLAN FOR SCHEDULED RETIREMENT BOARD, PLANNING COMMISSION, ADVISORY FIRE COMMISSION AND CC RESOURCE CONSERVATION DISTRICT BOARD VACANCIES  
**Submitted For:** David Twa, County Administrator  
**Department:** County Administrator  
**Referral No.:** IOC 16/5  
**Referral Name:** ADVISORY BODY RECRUITMENT  
**Presenter:** Julie DiMaggio Enea, IOC Staff  
**Contact:** Julie DiMaggio Enea 925.335.1077

#### **Referral History:**

The Board of Supervisors has directed the IOC to personally conduct recruitment and interviews of applicants for At Large seats on the Contra Costa County Fire Protection District's (CCCFPD) Fire Advisory Commission, the County Planning Commission, and the Board appointees to the Contra Costa County Employees' Retirement Association (CCCERA) Board of Trustees and the the East Contra Costa County Fire Protection District Board of Directors. Additionally, the Board of Supervisors has directed the IOC to recruit on behalf of the Contra Costa Resource Conservation District (CCRCD), which is governed by a Board of Directors appointed by the County Board of Supervisors and regulated under Division 9 of the California Public Resources Code.

On June 30, 2016, the terms of Board of Supervisors Appointees #4 seat on the CCCERA Board of Trustees; the At Large #2 seat on the County Planning Commission; and the At Large #1 seat on the CCCFPD Fire Advisory Commission will expire. On November 30, 2016, the terms of the President, Director 1 and Director 3 seats on the Contra Costa Resource Conservation District (CCRCD) Board of Trustees will expire.

#### **Referral Update:**

It is important that the IOC develop a recruitment schedule that permits the Board of Supervisors to make its appointments prior to the effective dates of the new seat terms.

The proposed recruitment schedule for the CCCERA Board of Trustees, the County Planning Commission, the CCCFPD Fire Advisory Commission is shown below:

March 4	Issue press release advertising vacancies
April 8	Application Deadline for vacancies (5 week application period)
April 25	<b>IOC Committee Meeting:</b> Screen applications and determine interview format*
April 26-May 6	Staff to schedule all interviews for May 23
May 23	<b>IOC Committee Meeting:</b> Interview candidates for the vacancies
June 14 and/or 21	<b>Board of Supervisors Meeting:</b> Board consideration of IOC recommended appointments and/or interview of finalists for Retirement Board
July 1	All appointments take effect

The proposed recruitment schedule for the CCRCD Board is shown below:

August 29	Issue press release advertising vacancies
September 30	Application Deadline for vacancies (5 week application period)
October 1-10	Staff to schedule interviews for October 24
October 24	<b>IOC Committee Meeting:</b> Interview candidates for the vacancies
November 1 or 15	<b>Board of Supervisors Meeting:</b> Board consideration of IOC recommended appointments
December 1	All appointments take effect

*\*It may be impractical for the IOC to individually interview all applicants. The IOC may need to screen applications to reduce the pool of candidates to be interviewed and use group interviews if there remain a large number of candidates for each body. Staff intends to do an initial screening of applicants against the specifications for each seat and will provide initial recommendations to the Committee for any applications that should be rejected.*

Also attached for the Committee's information is a listing of all advisory body seats that are screened by the Internal Operations Committee and their current status, according to the Board Appointive List maintained by the Clerk of the Board's Office.

#### **Recommendation(s)/Next Step(s):**

APPROVE the proposed plan and schedules for the recruitment to fill one Board of Supervisors seat on each the Contra Costa County Employees' Retirement Association Board of Trustees, the County Planning Commission and Contra Costa County Fire Protection District Fire Advisory Commissions that will become vacant on June 30, 2016, and three seats on the Contra Costa Resource Conservation District Board of Directors that will become vacant on November 30, 2016.

**Fiscal Impact (if any):**

None.

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**Attachments**

2016 IOC Interview and Screening Responsibilities for 2016

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**IOC ADVISORY BODY CANDIDATE SCREENING AND INTERVIEW RESPONSIBILITIES**  
**2016**

<u>Per BOS</u>	<u>Per</u>	<u>BOS Res</u>	<b>ATTACHMENT "A"</b>				
<u>Reso</u>	<u>IOC</u>		<u>Advisory or Regional Legislative Body</u>	<u>County "At Large" Seat</u>		<u>Staff Contact</u>	
Interview	Interview	2011/498	Airport Land Use	Appointee 1 BOS	5/2/2020	Jamar Stamps, DCD	
Interview	Interview	2011/498	Airport Land Use	Appointee 2 BOS	5/6/2019	Jamar Stamps, DCD	
Review	Interview	2011/497	Aviation Advisory	At Large 1	2/28/2018	Natalie Oleson, PW	
Review	Interview	2011/497	Aviation Advisory	At Large 2	3/1/2017	Natalie Oleson, PW	
Interview	Interview	2011/498	Contra Costa County FPD Fire Advisory Commission	At Large 1	6/30/2016	Vicki Wisher	
Interview	Interview	2011/498	Contra Costa County FPD Fire Advisory Commission	At Large 2	6/30/2018	Vicki Wisher	
Interview	Interview	2011/498	County Connection Citizens Advisory	County seat	6/18/2015	Diane Bodon, 925-256-4720	
Interview	Interview	2011/498	East Bay Regional Parks District Advisory	Appointee 1	12/31/2016	Pfuehler Erich, EBRPD (510) 544-2006	
N/A	Interview	N/A	East Contra Costa Fire Protection District Board of Directors	BOS Seat 1	2/4/2018	Hugh Henderson	
N/A	Interview	N/A	East Contra Costa Fire Protection District Board of Directors	BOS Seat 2	2/4/2018	Hugh Henderson	
Interview	Interview	2011/498	Employees Retirement Assos. Bd of Trustees (CCCERA)	BOS Appointee 4	6/30/2016	Gail Strohl/Julie Enea	
Interview	Interview	2011/498	Employees Retirement Assos. Bd of Trustees (CCCERA)	BOS Appointee 5	6/30/2017	Gail Strohl/Julie Enea	
Interview	Interview	2011/498	Employees Retirement Assos. Bd of Trustees (CCCERA)	BOS Appointee 6	6/30/2017	Gail Strohl/Julie Enea	
Interview	Interview	2011/498	Employees Retirement Assos. Bd of Trustees (CCCERA)	BOS Appointee 9	6/30/2017	Gail Strohl/Julie Enea	
Interview	Interview	2011/498	Employees Retirement Assos. Bd of Trustees (CCCERA)	BOS Appointee Alternate	6/30/2017	Gail Strohl/Julie Enea	
Interview	Interview	2011/497	Fish & Wildlife	At Large 1	12/31/2018	Maureen Parkes, DCD	2014 IOC designated these seats for in-person interview by IOC.
Interview	Interview	2011/497	Fish & Wildlife	At Large 2	12/31/2018	Maureen Parkes, DCD	
Interview	Interview	2011/497	Fish & Wildlife	At Large 3	12/31/2016	Maureen Parkes, DCD	
Interview	Interview	2011/497	Fish & Wildlife	At Large 4	12/31/2016	Maureen Parkes, DCD	
Interview	Interview	2011/497	Fish & Wildlife	At Large Alternate	12/31/2016	Maureen Parkes, DCD	
Interview	Interview	2011/497	Integrated Pest Management	At Large 1	12/31/2019	Tanya Drlik	
Interview	Interview	2011/497	Integrated Pest Management	At Large 2	12/31/2019	Tanya Drlik	
Interview	Interview	2011/497	Integrated Pest Management	At Large 3	12/31/2018	Tanya Drlik	
Interview	Interview	2011/497	Integrated Pest Management	Public Member Alternate	12/31/2017	Tanya Drlik	
N/A	Interview	N/A	Local Enforcement Agency Independent Hearing Panel (Solid Waste)	At Large	3/31/2018	Dorothy Sansoe/Enid Mendoza	
N/A	Interview	N/A	Local Enforcement Agency Independent Hearing Panel (Solid Waste)	Public Member	3/31/2018	Dorothy Sansoe/Enid Mendoza	
N/A	Interview	N/A	Local Enforcement Agency Independent Hearing Panel (Solid Waste)	Technical Expert	3/31/2018	Dorothy Sansoe/Enid Mendoza	
Interview	Interview	2011/497	Planning Commission	At Large 1	6/30/2018	Hiliana Li, DCD	
Interview	Interview	2011/497	Planning Commission	At Large 2	6/30/2016	Hiliana Li, DCD	
Interview	Interview	2011/497	Treasury Oversight	BOS Member	4/30/2016	Rusty Watts	
Interview	Interview	2011/497	Treasury Oversight	Public 1	4/30/2018	Rusty Watts	
Interview	Interview	2011/497	Treasury Oversight	Public 2	4/30/2018	Rusty Watts	
Interview	Interview	2011/497	Treasury Oversight	Public 3	4/30/2016	Rusty Watts	
Review	Review	2011/498	Affordable Housing Finance	Community 1	6/30/2017	Kara Douglas, DCD	
Review	Review	2011/498	Affordable Housing Finance	Community 2	6/30/2018	Kara Douglas, DCD	
Review	Review	2011/498	Affordable Housing Finance	Community 3	6/30/2016	Kara Douglas, DCD	
Review	Review	2011/498	Affordable Housing Finance	County 1	6/30/2017	Kara Douglas, DCD	
Review	Review	2011/498	Affordable Housing Finance	County 2	6/30/2018	Kara Douglas, DCD	
Review	Review	2011/498	Affordable Housing Finance	County 3	6/30/2016	Kara Douglas, DCD	
Review	Review	2011/498	BBK Union Cemetery Distict Bd of Trustees (if needed)	Trustee 1	12/31/2018	Lea Castleberry	
Review	Review	2011/498	BBK Union Cemetery Distict Bd of Trustees (if needed)	Trustee 2	12/31/2017	Lea Castleberry	
Review	Review	2011/498	BBK Union Cemetery Distict Bd of Trustees (if needed)	Trustee 3	12/31/2017	Lea Castleberry	
Interview	Review	2011/497	Hazardous Materials	Env Engineering Firms	12/31/2017	Michael Kent	
Interview	Review	2011/497	Hazardous Materials	Env Engineering Firms Alt	12/31/2017	Michael Kent	
Interview	Review	2011/497	Hazardous Materials	Env Organizations 1	12/31/2017	Michael Kent	
Interview	Review	2011/497	Hazardous Materials	Env Organizations 1 Alt	12/31/2017	Michael Kent	
Interview	Review	2011/497	Hazardous Materials	Env Organizations 2	12/31/2019	Michael Kent	
Interview	Review	2011/497	Hazardous Materials	Env Organizations 2 Alt	12/31/2019	Michael Kent	
Interview	Review	2011/497	Hazardous Materials	Env Organizations 3	12/31/2016	Michael Kent	
Interview	Review	2011/497	Hazardous Materials	Env Organizations 3 Alt	12/31/2016	Michael Kent	

**IOC ADVISORY BODY CANDIDATE SCREENING AND INTERVIEW RESPONSIBILITIES**  
**2016**

<u>Per BOS</u>	<u>Per</u>	<u>BOS Res</u>	<b>ATTACHMENT "A"</b>				
<u>Reso</u>	<u>IOC</u>		<u>Advisory or Regional Legislative Body</u>	<u>County "At Large" Seat</u>		<u>Staff Contact</u>	
Interview	Review	2011/497	Hazardous Materials	General Public	12/31/2019	Michael Kent	
Interview	Review	2011/497	Hazardous Materials	General Public Alt	12/31/2019	Michael Kent	
Interview	Review	2011/498	Housing Authority Board of Commissioners	Tenant #1 (age 62 or above)	3/31/2016	Joseph Villarreal	
Interview	Review	2011/498	Housing Authority Board of Commissioners	Tenant #2	3/31/2016	Joseph Villarreal	
Review	Review	2011/497	Law Library Bd of Trustees	Member of the Bar	12/31/2016	Carey Rowan, Sup Court	
Interview	Review	2011/498	Mosquito & Vector Control District Bd of Trustees	At Large 1	1/2/2019	Allison Nelson or Craig Downs	
Interview	Review	2011/498	Mosquito & Vector Control District Bd of Trustees	At Large 2	1/2/2017	Allison Nelson or Craig Downs	
Interview	Review	2011/498	Mosquito & Vector Control District Bd of Trustees	At Large 3	1/2/2017	Allison Nelson or Craig Downs	
Review	Review	2011/497	Public & Environmental Health Adv Bd	Adolescent School Age	5/31/2017	No staff assigned	2014 IOC delegated interview responsibility to the respective advisory body, with a referral of the resultant nomination to the IOC
Review	Review	2011/497	Public & Environmental Health Adv Bd	Central County At Large 1	5/31/2019	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	Central County At Large 2	5/31/2019	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	Consumer 1	5/31/2017	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	Consumer 2	5/31/2017	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	East County At Large 1	5/31/2016	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	East County At Large 2	5/31/2017	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	Environmental Health	5/31/2017	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	Family & Children	5/31/2018	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	General At Large 1	5/31/2015	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	General At Large 2	5/31/2015	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	Immigrant	5/31/2017	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	Private Medical Community	5/31/2017	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	Seniors Issues	5/31/2018	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	Voluntary Health Agencies	5/31/2016	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	West County At Large 1	5/31/2015	No staff assigned	
Review	Review	2011/497	Public & Environmental Health Adv Bd	West County At Large 2	5/31/2016	No staff assigned	
Interview	Review	2011/498	Resource Conservation District Bd of Trustees	Director 1	11/30/2016	Hunter Teresa, RCD, (925) 672-6522	
Interview	Review	2011/498	Resource Conservation District Bd of Trustees	Director 2	11/30/2018	Hunter Teresa, RCD, (925) 672-6522	
Interview	Review	2011/498	Resource Conservation District Bd of Trustees	Director 3	11/30/2016	Hunter Teresa, RCD, (925) 672-6522	
Interview	Review	2011/498	Resource Conservation District Bd of Trustees	President	11/30/2016	Hunter Teresa, RCD, (925) 672-6522	
Interview	Review	2011/498	Resource Conservation District Bd of Trustees	Vice President	11/30/2018	Hunter Teresa, RCD, (925) 672-6522	
Interview	Review	2011/498	Western CC Transit Auth Bd of Directors	Crockett	12/31/2017	Jamar Stamps, DCD	
Interview	Review	2011/498	Western CC Transit Auth Bd of Directors	Crockett Alt	12/31/2016	Jamar Stamps, DCD	
Interview	Review	2011/498	Western CC Transit Auth Bd of Directors	Rodeo	12/31/2017	Jamar Stamps, DCD	
Interview	Review	2011/498	Western CC Transit Auth Bd of Directors	Rodeo Alt	12/31/2016	Jamar Stamps, DCD	
				Key:	currently vacant		
					will have a 2016 vacancy		
					filled		



# Contra Costa County Board of Supervisors

## Subcommittee Report

### INTERNAL OPERATIONS COMMITTEE - SPECIAL

6.

**Meeting Date:** 02/29/2016

**Subject:** WASTE HAULER ORDINANCE

**Submitted For:** William Walker, M.D., Health Services Director

**Department:** Health Services

**Referral No.:** IOC 16/8

**Referral Name:** Waste Hauler Ordinance

**Presenter:** Marilyn Underwood & John  
Kopchik

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### **Referral History:**

On May 8, 2012, the Board of Supervisors referred to the Internal Operations Committee a review of the Waster Hauler Ordinance in order to address a number of problems with illegal haulers including:

- complaints that illegal haulers have been hired by private parties to remove refuse, and some of these companies have subsequently dumped the collected material along roadways and on vacant lots.
- incidents in which the Sheriff's Department found refuse haulers with improperly secured loads, which pose a hazard to motorists if items fall onto roadways.
- haulers that have been found transporting the collected materials to illegal transfer stations that have not undergone the required zoning, environmental, and permitting review, and pose significant threats to public health and the environment.
- haulers that have been found collecting residential or commercial garbage in violation of local franchise agreements.
- haulers that are not posting the bond required by Contra Costa County Ordinance Section 418-2.006. This bond is intended to ensure compliance with applicable laws. It is questionable if illegal haulers carry liability insurance, and they may not be in compliance with tax or labor laws.

The Internal Operations Committee held several discussions on this matter over the last four years, during which substantial work and change in the scope of the draft ordinance occurred. The IOC requested Environmental Health staff to work with the County Counsel to develop a final draft ordinance for circulation to stakeholders for comment, and then for consideration by the IOC. Work on the ordinance was suspended for several months in 2014 but resumed in early 2015. Recent discussions have focused on reconciling the ordinance with the County's existing franchise agreements, if and how the initial scope of the ordinance should or could be expanded or limited, exemptions to the ordinance, and how and by whom the ordinance could effectively be enforced.

At the most recent IOC discussion in October 2015, the Committee directed County Counsel and staff to prepare a final draft ordinance for IOC review in February 2016, and decided to address the enforcement aspect of the ordinance separately. Supervisor Gioia asked for a commitment



from the franchises to raise fees sufficient to fund enforcement of the ordinance countywide. Mr. Evola reiterated his offer to fund one third of the cost of a CSO.

**Referral Update:**

Attached is a report prepared jointly by the Directors of Environmental Health and Conservation and Development on the status of the development of a waste hauler ordinance and transmitting the current version of the ordinance. Also attached is a recapitulation prepared by the County Counsel on how the current version of the Ordinance compares to the October 2015 version.

The status report includes a discussion regarding enforcement of the proposed ordinance. Undersheriff Mike Casten has been invited and plans to attend the meeting to discuss the roles of the Sheriff and California Highway Patrol may have in enforcing the ordinance and related enforcement issues.

**Recommendation(s)/Next Step(s):**

ACCEPT report on the status of the development of a waste hauler ordinance and provide policy direction to staff.

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**Attachments**

Staff report prepared by Environmental Health and Conservation & Development Departments on Waste Hauler Ordinance

Exhibit A: DRAFT Waste Hauler Ordinance as of Feb 2016

Exhibit B: County Counsel Memo re Comparison of Feb 2016 Ordinance to Oct 2015 Ordinance

Exhibit C: County Wastehaulers Franchise Area Map

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# JOINT STAFF REPORT TO THE INTERNAL OPERATIONS COMMITTEE

## Contra Costa Environmental Health and Department of Conservation & Development

February 29, 2016

### I. INTRODUCTION

To prepare for bringing this matter back before the Internal Operations Committee (IOC), a fair amount of staff time and internal discussions have been dedicated to the issues discussed in this report. Over the past several months, a multi-departmental staff team has diligently gathered information, collaboratively worked through issues and several draft versions of the ordinance which collectively shaped the revised version of Chapter 418-2 now being presented. Below is a brief overview of this collaborative staff effort:

Multi-departmental staff team includes the Directors and lead staff members from CCEH and DCD as well as staff contacts from County Counsel's Office and the County Administrator's Office (CAO). The entire team met three times, once in November, again in December and then again in February. Additionally, key staff members from DCD, CCEH and County Counsel's office have had numerous phone meetings more frequently during the same several month period in order to discuss and identify means to address specific issues in much greater detail so that County Counsel's office could finalize the revised Chapter 418-2 being presented to the IOC. Since the October 2015 IOC meeting, staff from DCD and CCEH have been in communication with County franchise representatives on several occasions to discuss the proposed ordinance or related franchise issues.

### II. POLICY ISSUE FRAMEWORK TO FACILITATE MOVING FORWARD AND FORMULATION OF RECOMMENDATIONS

A. **Distinction Between Ordinance and Related Issues** – During the course of the IOC's consideration of the potential ordinance revisions to Chapter 418-2 referred by the Board of Supervisors in 2012, other policy issues have been raised which are related to, but extend beyond the scope of the ordinance. Now that the IOC is being presented with the recommended Chapter 418-2 language, it is possible to clearly identify those issues which are not expected to be addressed in ordinance. Staff has identified these non-ordinance policy issues in this report in order to potentially facilitate discussion of distinct recommendations the IOC may decide to make to the Board of Supervisors regarding the referred ordinance versus the other related issues. Staff has grouped these related non-ordinance policy issues into two categories, Franchises and Enforcement.

1. **Policy Issues are Inter-related** – Although technically beyond the scope of what ordinance revisions would address, these other non-ordinance policy issues are inter-related to varying degrees. The inter-relationships significantly add to the

complexity of the potential problems and solutions. Furthermore, the manner and sequence in which each issue is ultimately addressed can dictate and limit options to address other policy issues.

2. **Proposed Approach for Moving Forward** – Although it is possible (and probably helpful) to take some actions that help move forward with addressing non-ordinance policy issues on a ‘parallel track’ if desired by the Board, there are others which cannot because they are contingent upon factors that dictate the applicable sequence and timing. Non-ordinance policy issues are grouped and further discussed below in sections pertaining to Franchises and Enforcement. Additionally, to the extent that staff has identified factors that dictate sequence/timing specific to an issue/action such has been noted in the applicable section.
3. **Separating Issues and Taking Next Steps** – Staff recommends that, to the extent possible, immediate action on the ordinance and further action on the related policy issues be pursued on separate, parallel tracks in order to simplify, and clarify, discussion of the issues. For the IOC’s consideration, staff is providing the following list of potential next steps to move forward on these policy issues in the near term. Most of these next steps are discussed in more detail in subsequent sections of this staff report as are additional potential actions that the County may consider in the future (medium and far term).
  - a. Ordinance – Potential Future Actions:
    - i. Consider recommending that the Board approve the revised version of Chapter 418-2 attached as Exhibit A, which requires that the bond amount be specified in a fee resolution to be adopted by the Board, and specify whether the ordinance effective date should be timed to coincide with the Board’s consideration of the fee resolution and/or the minor County franchise amendments described in Section IV.A.4.a.
    - ii. If the revised Chapter 418-2 ordinance is approved by the Board of Supervisors, CCEH will perform the following activities:
      - o Develop application form in consultation with DCD.
      - o Develop a fee schedule for refuse haulers.
      - o Notify refuse haulers, Chambers of Commerce, local building and code enforcement departments, etc. of the new ordinance.
      - o Process permit applications (including notifying the special districts and DCD of applications).
      - o Inspect and issue permit stickers to compliant vehicles.
      - o Investigate any reports of violations.
      - o Conduct field surveillance, including at illegal transfer stations.
  - b. Franchising/Franchises – Potential Future Actions:
    - i. When transmitting recommended Ordinance to the Board, identify separate recommendation about possibly amending three of the County’s franchises to clarify Industrial Waste definition in three franchises and add

wording clarifying the applicability of the exclusivity exception for property clean-up service providers. (see Section IV.A.4 of this report )

- ii. Consider recommending that the Board direct to staff to proceed with issuance of 5-Year Rule notices required for the County to have the option to potentially amend franchises to expand exclusivity in the future. (see Section IV.A.7.iii of this report)

c. Enforcement – Potential Future Actions:

- iii. Consider requesting that County franchise haulers reach out to law enforcement agencies in each Contra Costa city they currently serve to help raise awareness and discuss potential enforcement of Public Resources Code Sections 41950, 41951 and 41955 pertaining to the theft of residential and commercial recyclables prior to collection (described in described in Section IV.B.4.a.ii.A.

III. REVISED ORDINANCE: CHAPTER 418-2

The proposed ordinance (attached as Exhibit A) has been revised significantly over the past several months. The attached Memorandum from County Counsel's office (attached as Exhibit B) identifies what changes have been made to the Draft Ordinance version presented to the IO Committee in October 2015 as well as a brief explanation of the reason for each change. The proposed ordinance would, in the view of staff, constitute a marked improvement over current regulation of Chapter 418-2 of the County Ordinance. It is however important to understand the challenges that will be faced in implementing the ordinance.

A. **Enforceability**

There are issues related to potentially overlapping regulatory authority that may significantly impact the implementation of a revised refuse hauler ordinance. Specifically, potential conflicts with ordinances adopted by other local non-County franchise agencies (discussed in Section III.B below ) or their respective franchise agreements (discussed in Section IV.A.2). The interrelated complexities associated with implementing a waste hauler permit system in areas where waste collection is already governed by multiple different local agencies pursuant to separate franchise agreements granting varying degrees of exclusivity are expected to pose significant enforceability challenges. Staff may discover that there are other local agency adopted ordinances governing certain waste hauling activities that will introduce further unforeseen implementation and/or enforcement complexities.

Existing franchise agreements involve variables that do not allow for any permitting uniformity and increase the complexity of permit systems design which directly compromise the ordinance's enforceability. This lack of permitting uniformity that is necessitated by existing franchises, diminish the usefulness and effectiveness of the County issued decals as simple stand-alone compliance indicators. Although the lack of a decal is a visually obvious clue that hauler does not have a permit, it does not mean that the unpermitted hauling activity constitutes a violation of the ordinance.

There are numerous types of unpermitted hauling activities that would not violate Chapter 418-2, such as a roofer hauling old roofing materials from his own jobsite or a non-profit organization transporting donated source-separated recyclables (both of which are exempt from the ordinance) or an independent hauler with a load of household refuse picked up from within a city (not subject to the ordinance). Permits will authorize hauling of only certain waste types from customers located within a defined permit-specific territory – which may be further limited by customer type (e.g. only residences). The readily visible decal makes it relatively easy to spot permitted hauling vehicles, which only proves that permitted hauler has authority to haul at least one type of waste from somewhere in the unincorporated area.

It is expected that law enforcement could not play a significant role because they would generally not have the probable cause necessary to stop haulers solely because they do not have decal. Most likely complaints will be the primary way that CCEH will become aware of haulers that may be providing waste collection that violates their permit. In most cases, further investigation or follow-up by CCEH will be necessary to determine if the hauler is in compliance with the ordinance. However, though these obstacles exist, the ordinance will provide a basis for taking enforcement actions that prevent harmful activities, such as illegal dumping.

#### **B. Other Local Agencies with Authority to Regulate Waste Collection**

To date, the local agency ordinances received and reviewed by staff do not appear to pre-empt or limit ordinance implementation. An ordinance adopted by the Central Contra Costa Solid Waste Authority (CCCSWA) established their existing permit system applicable to construction and demolition (C&D) debris transporters operating within that Central County territory. The boundaries of the CCCSWA include five incorporated city areas as well as surrounding unincorporated areas. The four other district managed franchises include only unincorporated areas of the County as shown in the Map attached as Exhibit C. Staff is not aware of any other hauler permit systems being implemented in the unincorporated areas.

Locally adopted ordinances pertaining to waste collection that are in effect for non-County franchise areas, could possibly limit the effectiveness of Chapter 418-2 as proposed to be revised or maybe even pre-empt the County's authority to implement the revised ordinance altogether. The proposed ordinance acknowledges that other local agencies exercise their own regulatory authority over waste collection within their jurisdiction which will ideally be adequate to avoid any conflicts with ordinances adopted by those local agencies. CCEH has reached out to these non-County franchise agencies seeking information about any applicable ordinances that they may have adopted. CCEH staff has identified two local franchise agencies which have adopted ordinances related to waste hauling (CCCSWA and Mt. View Sanitary District ) and confirmed that a third agency has not adopted any such ordinances (Kensington Police Protection and Community Services District). Unfortunately, at the time this staff report was prepared, the remaining two local agencies had yet to respond (Rodeo Sanitary District and Byron Sanitary District).



Upon receipt of any additional non-County ordinances pertaining to waste hauling, staff may find that there is critical regulatory conflict necessitating that the County work more closely with the applicable non-County franchise agency(ies) in order for the County to exercise any regulatory authority over waste collection within their jurisdictional franchise areas. If this occurred, CCEH staff would strive to identify and overcome any barriers in order to obtain the agency's consent to implement the ordinance as written within their jurisdiction. If issues related to overlapping regulatory authority were to result in substantially limiting or restricting implementation of Chapter 418-2 in one or more non-County franchise areas, The Board of Supervisors may wish to further revise Chapter 418-2 to include only those requirements which can be implemented more uniformly and effectively enforced on a consistent basis.

#### IV. NON-ORDINANCE POLICY ISSUES

- A. **Franchise Agreements** - There are nine separate Franchise Agreements which govern the collection of waste and recyclables, each covering different portions of the unincorporated County area. Four of the nine Franchises are administered by the County (County Franchises) and the other five are each administered by other local public agencies (Non-County Franchises). See map attached as Exhibit C for delineation of the County's four franchise areas as well as the five non-County franchise areas.
1. **County Franchises** govern collection services provided to approximately 53% of the total unincorporated population. Following is a breakdown for the four County Franchises:
    - Allied Waste Systems, Inc. (Allied) primarily serves Central County customers (approximately 9% of the total unincorporated County population)
    - Crockett Garbage Service serves Crockett, Port Costa and Tormey (approximately 2% of the total unincorporated County population)
    - Garaventa Enterprises primarily serves East County customers (approximately 20% of the total unincorporated County population)
    - Richmond Sanitary Service (RSS) primarily serves West County customers (approximately 21% of the total unincorporated County population)
  2. **Non-County Franchises** administered by the following five local public agencies govern services provided to approximately 47% of the total unincorporated population:
    - Central Contra Costa Solid Waste Authority/RecycleSmart – Joint Powers Authority responsible for waste and recycling programs for Alamo, Blackhawk, Contra Costa Centre, Diablo, Tassajara and unincorporated areas in the vicinity of Danville, Lafayette, Moraga, Orinda and Walnut Creek.

- Byron Sanitary District– Special District solely responsible for a portion of Byron
  - Kensington Police Protection and Community Services District – Special District solely responsible for collection services in Kensington
  - Mt. View Sanitary District – Special District responsible for unincorporated Martinez areas as well as some land near Pacheco Blvd. and Arnold Dr.
  - Rodeo Sanitary District– Special District solely responsible for collection services in Rodeo
3. ***Interrelationship between Franchises and Ordinance/Permit System***  
Collection of waste and recyclables is currently regulated almost exclusively by franchises administered by local agencies. There are a number of franchise-specific variables which are interrelated with key ordinance provisions in Chapter 418-2. These interrelationships and the need to avoid potential permit/franchise conflicts add a fair amount of complexity the overall permit system. Understanding the complexities involved with these interrelated variables can also help provide insight as to the overall approach to Chapter 418-2. Franchise exclusivity can be complicated because it depends on the franchise and at least two if not more variables. The franchise exclusivity variables include geographic area (which franchise area), the type of waste generator (such as residence), the type of waste (such as yard waste or construction and demolition waste), the type of business arrangement (free pick-up or fee for service) as well as any related services (clippings resulting from gardening).
4. ***Actions Related to Franchises to aid Ordinance Implementation***  
Following is a discussion of related non-ordinance policy issues associated with the franchise agreements:
- a. **Avoid issuing permits that conflict with County Franchises**
- i. Minor clarification type amendments to three of the County's Franchise Agreements [Separate/Parallel Track]  
**Industrial Waste** – The recommended revisions to Chapter 418-2 does not define Industrial Waste. However, it is in effect defined by the wording of the applicable proposed Exception in Section 418-2.008(e) which says "solid waste that is generated in a mechanized manufacturing process or at a publicly operated treatment works". Only one of the County's four franchises (RSS) includes "publicly operated treatment works" in its Industrial Waste definition, therefore it may be worthwhile to amend the County's other three franchises to add publicly operated treatment works to their definitions.
  - ii. Minor clarification type amendments to all four of the County's Franchise Agreements [Separate/Parallel Track]  
**On-site Clean-up / Junk Removal Services** – Consistent with earlier discussions, amending the exclusivity exception applicable to remodeling

and gardening in the County's franchises will help facilitate consistent regulation of hauling by on-site clean-up (junk removal) services under the new permit system that would be implemented following the adoption of revisions to Chapter 418-2. The Franchise Agreements will also need to clarify that hauling performed in conjunction with other clean-up services (intended to be subject to the permit requirement in Chapter 418-2) fall under the franchise exclusivity exception applicable to contractors and landscapers as long as any collection and transport by on-site clean-up service providers is solely for solid waste they were hired to physically remove, load, transport and reuse, recycle or dispose.

- iii. Referral Process for County Franchises: *[Ordinance Implementation]*  
CCEH proposes to implement an application referral process to facilitate coordination with County and Non-County Franchising Agencies (discussed in greater detail in the following section). DCD will act as the recipient agency for referrals pertaining to the four County Franchises for the purpose of reviewing Hauler Permit Application referrals in order to provide CCEH with determination about any applicable conflicts with County Franchises.

**b. Avoid issuing permits that conflict with Non-County Franchises**

- i. Recommended Ordinance Language: County staff provided substantial comments on the revised Hauler Ordinance with the intent of trying to ensure that Permits would not be issued if the proposed hauling services would conflict with exclusive rights granted to a Franchise Hauler.
- ii. Permit System Design: County staff also expects to rely quite heavily on the design of the permit system that would be implemented if the revised Hauler Ordinance is adopted to further facilitate consistency with existing Franchise Agreements administered by the County or five other local agencies (JPA and Special Districts) to govern the collection of waste and recyclables throughout the unincorporated County.
  - I. **Franchise Agency Referral Process** – CCEH will implement a referral process to facilitate coordination with Franchising Agencies for the purpose of avoiding issuance of permits which conflict with their respective franchises. Currently there is no comprehensive centralized map delineating the exact boundaries of each of the nine unincorporated area Franchise Service Areas (Exhibit C of this report is a general map of these Service Areas). For the sake of efficiency and thoroughness, CCEH plans on referring copies of each application to all six Franchising Agencies (including DCD for all four County Franchises as mentioned above). Eventually, staff's ultimate goal would be to develop a Geographical Information System (GIS) electronic mapping layer that precisely depicts each of the Franchise Service Areas.
  - II. **Permit Applications** - CCEH and DCD will work together on developing the application forms to help ensure that applicants are

required to provide the type of information needed to make determinations regarding potential conflicts with the County's Franchises. The complexity of the Franchise related variables involved necessitate that the Permit Applications will require applicants to provide a significant level of detail about the hauling services for which they are seeking a permit.

- A. Application forms will require the applicant to clearly identify the exact boundaries of the **territory** they are seeking approval to serve and the type of **waste generator (location)** they propose to collect from (e.g. residential, commercial, light industrial, heavy industrial, or governmental).
- B. Applications will also need to identify what **waste types** they would like to collect (if not the same for all generator types, they will have to specify waste types by generator type). C&D debris/material will distinguished as one of the waste types.
- C. Applications will need to identify which types of solid waste are to be **collected in conjunction with on-site clean-up services** (which might involve any type of solid waste) separately from the types of solid waste that could/would be hauled solely as a collection service (meaning customers would be removing waste from their property and loading the containers themselves). The intent being that Permits issued for waste types which the County's Franchisees have been granted the exclusive right to collect would only authorize collection and transport by on-site clean-up service providers and solely for waste they were hired to physically remove, load, transport and dispose/recycle.

III. **Franchise Agency Determinations** - Upon receipt of a new application, CCEH will refer a copy of the application package to the six Franchising Agencies and request they provide a determination about any proposed hauling services which conflict with their Franchise within a specified 30-day review period. If no response is received after the 30-day review period, CCEH will proceed with the permitting under the presumption that it would not violate their franchise.

5. ***Amending Franchises to Possibly Expand Exclusivity in the Future (Separate from Ordinance Implementation)***

County franchise hauler representatives (stakeholders) initially raised this issue at the IOC meeting held in April 2015. These stake holders advocated for amending three of the four County franchises to provide franchisees with the exclusive privilege to collect C&D debris, similar to what is provided for in the County's Franchise Agreement with RSS. This issue was brought up in workshops that CCEH hosted for stake holders in May 2015 to discuss revising the ordinance as well as being discussed at the July 2015 and October 2015 IOC meetings.

However, exclusivity privileges in franchise agreements are a stand-alone issue, different from revising the ordinance and as such warrants its own separate process.

Since this exclusivity issue was not part of the Board's referral to the IOC, DCD staff has identified the need to obtain direction from the Board of Supervisors prior to moving forward. Although franchise exclusivity was raised as a potential ordinance issue, it is significant policy issue extending beyond the scope of the referral with implications unrelated to illegal dumping. The IOC and County staff have appropriately been focused on ordinance-specific issues. Therefore, this important matter has yet to be afforded the attention it deserves. Conceptual support for this idea has been expressed by members of the IOC at their July and October meeting, however that was in the absence of receiving or reviewing any analysis or recommendations from staff. Staff is providing some additional details regarding this policy issue in this report to facilitate more detailed discussion or referral to the Board of Supervisors, if so desired.

- Chapter 418-7: County Code Chapter 418.7 entitled "Franchises for Solid Waste Collection, Disposal and/or Recycling Service" is the ordinance applicable to County franchises. Franchises are not governed by Chapter 418-2. As such, in order to expand this exclusivity, staff proposes this issue be delineated from the proposed Hauler Ordinance and addressed separately through its own process.
- Assessing the Relative Merits of Franchise Exclusivity as Compared to Alternative Regulatory Approaches (C&D): Waste collection activities are primarily regulated at the local government level via permits or franchise agreements. Permits and franchises can be either exclusive or non-exclusive. Some agencies limit the number of permits that can be issued or franchises that can be in effect, others impose more extensive permit conditions (including diversion requirements) or impose on-going fee (somewhat like a franchise fee). Each of these approaches has their upsides and their downsides, so which is the best can be quite subjective as it depends upon the circumstances and the goals/needs of the agency involved.

Staff recommends the Board of Supervisors consider the advantages and disadvantages of various approaches as it provides direction to staff on potentially negotiating amendments to existing franchises. As explained previously, only the RSS Franchise provides exclusivity for hauling C&D debris. This difference was not an unintentional oversight but instead it was the policy decision made at the time. It is also worth noting that one major difference the RSS Franchise has from the County's other three franchise agreements is that it was drafted and approved roughly two to three years prior to the others. County staff learned from this initial franchise negotiation and later implementation of the RSS Franchise, the valuable experience and ability to adapt and improve future franchise agreements. One valuable difference was ensuring that the scope of the exclusivity provision would more closely adhere to the franchise requirement in County



Code Chapter 418-7 "Franchises for Solid Waste Collection, Disposal and/or Recycling Service". See Table 1 below for a comparison of potential benefits of various collection system options which is part of a report that was prepared in 2012 by a consultant hired by the County (complete report available upon request). Staff has identified some information gathering tasks in Section IV.A.7 that should yield additional updated data that should help supplement the consultant's findings in their report.

**Table 1. COMPARISON OF POTENTIAL BENEFITS OF COLLECTION SYSTEM OPTIONS**

Collection System Options	Ability to Generate Additional Fees	Additional AB 939 Diversion Opportunities	Impact on Illegal Dumping <sup>(1)</sup>	Potential Impact to Rate Payers	Ease of Administration
Open-Market Options					
Traditional Open-Market Options					
<div>Unregulated Open-Market System</div> <div>(EXISTING – 2015)</div>	<div>None</div> <div>D</div>	<div>None</div> <div>D</div>	<div>May increase relative to other options if unregulated "fringe haulers" illegally dump collected materials</div> <div>D</div>	<div>Potential for lowest rates for some haulers</div> <div>A</div>	<div>None</div> <div>A</div>
<div>Regulated Open-Market Permit System With Limited Permit Requirements</div> <div>(PROPOSED ORDINANCE)</div>	<div>Can require basic permit fees (e.g., set amount and/or fee per truck)</div> <div>B</div>	<div>Can require material be diverted but difficult to enforce</div> <div>B</div>	<div>May be reduced relative to Unregulated Open-Market System as a result of greater regulatory oversight.</div> <div>B</div>	<div>Potential for lower rates relative to Closed-Market Options</div> <div>B</div>	<div>Low</div> <div>B</div>
Enhanced Regulated Open-Market Options					
<div>Regulated Open-Market Permit System with Enhanced Permit Requirements</div>	<div>Can establish and collect permit fees (based on tonnage, gross revenues or other factors)</div> <div>A</div>	<div>Can require minimum diversion levels or that material be delivered to certified facilities</div> <div>A</div>	<div>May be reduced relative to Unregulated Open-Market System as a result of greater regulatory oversight</div> <div>B</div>	<div>Rates likely to be relatively higher than Open-Market Options due to Permit requirements</div> <div>C</div>	<div>Highest</div> <div>D</div>
<div>Regulated Open-Market Non-Exclusive Franchise with No Limit on the Number of Franchised Haulers</div>	<div>Can establish and collect franchise fees (based on tonnage, gross revenues or other factors)</div> <div>A</div>				
Closed-Market Options					
<div>Closed-Market with a Limited Number of Non-Exclusive Franchised Haulers</div>	<div>Can establish and collect franchise fees</div> <div>A</div>	<div>Can require minimum diversion levels or that material be delivered to certified facilities</div> <div>A</div>	<div>May be reduced relative to Open-Market Options due to stricter operating requirements that may eliminate "fringe haulers"</div> <div>B</div>	<div>Rates likely to be relatively higher than Open-Market Options due to Franchise requirements</div> <div>C</div>	<div>Highest</div> <div>D</div>
<div>Closed-Market with a Single Exclusive Hauler</div> <div>(EXCLUSIVE FRANCHISE)</div>				<div>Rates may be somewhat higher than Non-Exclusive Franchise due to lack of market pressures; but less so if competitively bid.</div> <div>C</div>	<div>High</div> <div>C</div>

<sup>(1)</sup> Greater regulatory control would be expected to reduce any illegal dumping by certain "fringe haulers" assuming they no longer operated, but any associated increase in rates may result in increased illegal dumping by waste generators.

Legend	
Most Preferable Option	<b>A</b>
More Favorable	<b>B</b>
Less Favorable	<b>C</b>
Least Preferable Option	<b>D</b>

SOURCE: 2012 Consultant Report

6. ***Process Required to Expand Franchise Exclusivity***

There is a mandatory noticing period and process that must be completed in order to authorize the County to proceed with any franchise amendments which would grant any new or expanded exclusive waste collection privileges. Section 49520 of the California Public Resources Code (PRC), states in part, "If a local agency has authority, by franchise, contract, license, or permit, a solid waste enterprise to provide solid waste handling services<sup>1</sup> and those services have been *lawfully provided* for more than three previous years, the solid waste enterprise may continue to provide those services up to five years after mailed notification to the solid waste enterprise by the local agency having jurisdiction...". This requirement is often referred to as the "5-Year Rule" and the details are discussed briefly below.

- a. **5-Year Rule** – It is County staff's position that the 5-Year Rule applies to this issue of amending Franchise Agreements to expand exclusivity to haul C&D material. If the County wants to implement an exclusive franchise system, or a non-exclusive franchise system that limits the number of haulers through permits (i.e. an "approved list"), it must issue the required notices to those haulers that have lawfully been providing service for more than three years and then wait five years before implementing said change. Any solid waste enterprise "lawfully providing" service means that waste hauler is in substantial compliance with the terms and conditions of its franchise, contract, license, or permit. The PRC also defines a solid waste "License" as a license issued by a local agency or a business license issued by a local agency if the local agency has not established any other form of authorization for the lawful provision of solid waste handling services.

Technically, only certain hauling services are subject to the permit requirements of County Chapter 418-2 or the franchise/contract requirements in Chapter 418-7. Companies that haul C&D material are not obligated to obtain a franchise or permit pursuant to County Code Chapter 418-7. The County does not actually issue permits under Chapter 418-2 (existing Hauler Ordinance) nor has the requirements of that Chapter been actively enforced by the County since Chapter 418-7 was enacted. Therefore, any waste hauler who has a business license may be operating lawfully.

- b. **3-Year History of Business Licenses for Noticing** – DCD staff has obtained listings of all unincorporated area business licenses issued in the past three years from the County Tax Collectors Office. The average number of business licenses issued annually in the past three years is about 3,800 per year with a total of 11,500 licenses. Staff compiled the three years of data into one master list to facilitate more efficient analysis and data scrubbing (consolidate applicable records and purge non-applicable license data) for the purpose of deriving a more manageable list of enterprises for 5-year noticing purposes.

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<sup>1</sup> The PRC defines Solid waste as "...all putrescible and nonputrescible solid and semisolid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, *demolition and construction wastes*, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid or semisolid wastes, and other discarded solid and semisolid waste."

Only business that have had valid business licenses for the entire 3 year period need be included, however the list can be further reduced by removing businesses known not provide waste hauling services, such as banks or retail stores. At the time this staff report was prepared, this data scrubbing effort was underway but a fair amount of work was still needed to eliminate more of the non-applicable businesses from the consolidated master list. Staff will continue working on this in anticipation that the IOC and Board may wish to proceed with issuance of 5-year notice to maximize the County's decision making flexibility for the future.

- c. **Starting the clock** – In order to initiate the start of the 5-year Rule clock, notices must be mailed to those businesses that have been lawfully providing waste hauling services for at least three years. The IOC may wish to recommend to the Board that they direct staff to move forward with the 5-year notices. There is no significant risk for doing so as it would not obligate the County to take any specific action in the future. However, it would provide the County with added flexibility in the future and the intervening period can be used to gather additional information as well as further study potential benefits and consequences of various approaches to amending the County's Franchise Agreements to expand exclusivity. Upon providing such notice, PRC § 49521 specifies that businesses providing "continuation" solid waste handling services during the 5-year period are subject to two conditions involving (1) meeting the quality and frequency of services required by the local agency in other areas not served by said business, and (2) if required by the local agency, adhere to rates that are comparable to those established by the local agency.

7. ***Additional suggested considerations to inform future decision making about expanding exclusivity***

Even if the County was prepared to move forward with amending these franchises to expand exclusivity, we are legally precluded from enacting such amendments during the 5-Year period following issuance of the required notice. However, the County would regulate the collection of C&D through a permit system if the Board approves the proposed revisions to Chapter 418-2 of the County Ordinance.

Staff suggests there is a need for additional information gathering and analysis which should be undertaken during the 5-Year Notice period to aid the County in in any franchise exclusivity expansion decision making process and/or negotiations. Additionally, during that period additional information may become available such as the below which should also be considered:

- New or changed laws and industry norms/trends closer to when the exclusivity could actually take effect.
- Evaluate the degree to which the implementation of the Hauler Permit system is effective means of regulating collection of this specialized waste stream.

B. **Enforcement:** The IOC expressed the preference to address enforcement aspects of the ordinance on a separate and parallel track and directed staff to gather information from law enforcement countywide to see if enforcement costs could be estimated.

1. **Funding** – Funding source(s) needs to be identified in order for the County to dedicate anything beyond the current level of resources to the types of enforcement discussed at prior IOC meetings.
  - a. Commitments from Franchisees: The IOC asked for a commitment from the County Franchisees to contribute amounts sufficient to fund enforcement of the ordinance countywide. A representative from the County's franchise hauler that serves most of East County has offered to fund one-third of a Community Services Officer (CSO). Of the total estimated revenue that franchise haulers collect annually from the ratepayers in all four of the County's Franchise Areas, this East County area accounts for roughly 45%.
  - b. Funding Enforcement by Raising Garbage Rates: The IOC asked staff to report back about the feasibility of raising garbage rates to help fund enforcement. Staff consulted with County Counsel's Office and was advised that the County cannot legal raise garbage rates to fund the desired enforcement.

2. **State Regulations/Laws Prohibit Unmarked Debris Boxes (CCR 17301-17345)**

As the Local Enforcement Agency (LEA) for solid waste, Contra Costa Environmental Health can enforce the State solid waste standards, including those provisions in Title 14 of the California Code of Regulations (CCR) throughout the unincorporated County area. Unlike the County's authority to regulate waste collection under Chapter 418-2, any ordinances pertaining to waste collection adopted by local non-County franchise agencies cannot preempt the LEA's authority to enforce the state's requirements in CCR Title 14. CCEH staff is not proposing to include requirements in Chapter 418-2 if there is already something similar in State laws or regulations that are already within the enforcement purview of a County department. There are a number of requirements and standards applicable to refuse hauling vehicles and containers contained in CCR Sections 17301-17345 (with the exception a permit requirement). Several CCR Sections already address two concerns that the County's franchise haulers have advocated that the County take on by expanding the scope of this ordinance, namely unmarked debris boxes and unmarked refuse hauling vehicles.

CCR Section 17316 requires containers of one cubic yard or more to be identified with the name and telephone number of the applicable service provider (container owner). CCEH has begun an information outreach effort to inform refuse haulers, contractors and building departments for the County and 18 cities (CCEH is not the LEA for the City of Pittsburg) of these requirements and advise that they can refer complaints about possible violations (unmarked



boxes/containers) to the LEA for investigation. If a violation is verified, the LEA will give official notice requiring the responsible party to correct the violation. CCEH believes that proactive enforcement of CCR Title 14 container marking requirements can adequately address franchise hauler concerns about unmarked debris boxes. If such efforts prove to be unsuccessful, the Board of Supervisors may wish to consider adding debris box (container) marking or decal requirements to Chapter 418-2.

3. **Building Inspection** – DCD’s Application and Permit Center staff will assist efforts by helping collect and make available (upon request) hauler information that is collected during the Building Permit process. The hauler information collected on these forms may also prove to be helpful to CCEH when they investigate complaints or allegations. Building Inspection staff will also help watch out for and report any debris boxes they observed which do not identify the name and telephone number of the container owner.
  - a. CalGreen: DCD is prepared to move forward with modifying our CalGreen Debris Recovery Plan and Report forms to require identification of the name of the person or company responsible for hauling debris from the applicable jobsite.
    - i. The State Building Code (including CalGreen) is updated every three years. Following the release of each updated State Building Code in approximately June or July, the County prepares any proposed local amendments to present in conjunction with the updated State Code for potential adoption by the Board of Supervisors between July – December.
    - ii. Later this year, the County will have the opportunity to develop proposed amendments to the updated version of CalGreen which will be presented for recommended adoption before the end of December 2016. Staff can include any recommended changes that may be deemed necessary to start requiring identification of the responsible hauling entity on CalGreen compliance forms.
  - b. Penalty for Violating CalGreen: At the October 12, 2015 IOC meeting, a Franchisee representative spoke in support of having the County start levying fines if Permittees failed to provide evidence of proper disposal of C&D debris at the time they requested their certificate of occupancy (Final Inspection) from the Building Inspection Division. The County does not have authority to impose fines on persons violating the debris recovery requirements in CalGreen. Persons found to be out of compliance with CalGreen debris recovery requirements are denied the ability to receive their Final Inspection for that project.

Cities have the ability to require deposits at the time building permit applications are submitted, which are only released after construction has been completed and the report and receipt documentation is submitted demonstrating compliance. This has been an incredibly effective and efficient compliance incentive that is far superior to levying fines. Although

the California Government Code expressly provides cities with the right to require forfeiture of deposits for ordinance violations, the same is specified for counties. In most cases the highest fine that the County can impose for most first time code violations is \$100. This maximum fine amount is dictated by State law and has remained the same for over a decade. Even 10 years ago that amount was too low to serve as a disincentive for violating County Code. However, a decade later the cost of living and more importantly disposal/recycling costs have increased significantly quite dramatically. DCD staff identified this as an area of concern and there has been a SUPPORT position addressing this exact need in the County's State Legislative Platform since at least 2007.

- c. Role of Building Inspectors tied to Debris Box Decal Requirement: If efforts to enforce the container marking requirements in Title 14 prove to be inadequate or insufficient that Chapter 418-2 were to be revised in the future to require County issued decals for debris boxes/containers, Building Inspectors could alert Environmental Health if they observe Debris Boxes without decals when visiting jobsites to conduct inspections.

#### 4. **Law Enforcement –**

- a. Source separated recyclables - Recyclables belong to the generator until they are given/donated to another party or placed out for collection.
  - i. **City of Concord** – The City's Franchise Agreement requires that their Franchise Hauler (Concord Disposal Service owned by Garaventa Enterprises) fund one-half of the cost of a full-time CSO (which is a non-sword officer that works for their Police Department). This is the only local model staff is aware of where law enforcement has an ongoing active role in helping address theft of recyclables. However Concord's CSO apparently focus enforcement efforts on combating poaching of recyclables from commercial customers.
  - ii. **Poaching (Theft) of Recyclables Prohibited by Multiple Existing State Laws and Regulations** - Imposing new Ordinance requirements at the local level is unnecessary and duplicative because there are already State laws and regulations in place which prohibit poaching (theft) of recyclables placed out for collection by the Franchise Haulers.
    - A. Recyclable Theft and Penalty Options - PRC: The franchisees have expressed concerns about the theft (poaching) of recyclable materials, primarily from commercial customers, along their routes. State law includes additional more stringent provisions which can be found in the California Public Resources Code (PRC) but which is not enforced by CCEH, as the LEA. Violations of these PRC Sections involving the theft of recyclables are subject to criminal enforcement (if not handled as a civil matter) by applicable enforcement authorities (e.g. local law enforcement). . Sections 41950 and 41951 include language specifying that residential and

commercial recyclables become the property of the collection service operator as soon as they are placed out on the curb (or other designated pick-up location) for collection. These sections also expressly prohibit persons from removing residential or commercial recyclables placed out for collection. PRC Section 41955 allows the theft of recyclables valued between \$50 and \$950 to be charged as either a misdemeanor or an infraction, unless it is a second or subsequent violation which must then be charged as a misdemeanor punishable pursuant to Section 19 of the Penal Code. Additionally, PRC Section 41953 specifies the maximum civil penalty amounts that courts are allowed to award in response to civil actions brought by the designated recycler; the amount allowed for the first violation (\$2,000) is less than half of the amount allowed for subsequent violations within any 12-month period (\$5,000). Alternatively, courts may award treble damages instead if greater than applicable civil penalty limits.

- B. Report Fraudulent Activities to the State: CalRecycle's Division of Recycling is responsible for the California Refund Value (CRV) recycling program. The State provides assistance and resources in order to increase recovery and recycling of CRV beverage containers. CalRecycle's website lists self-haul type trucks being used to deliver beverage containers to a recycling center as one of the potentially fraudulent activities that should be reported to the Division of Recycling's toll-free tip hotline at 1-866-CANLOAD (1-866-226-5623). The Division of Recycling provides recyclers and processors with a free copy of this fraud reporting sign. By posting this sign at their places of business, recyclers and processors can help discourage fraudulent recycling activities. A Printable sign is posted on their website as is a link to request a printed fraud sign.

ATTACHMENTS:

Exhibit A: Revised County Code Chapter 418.2 – Hauler Ordinance

Exhibit B: County Counsel Memorandum – February 23, 2016

Exhibit C: Map of Unincorporated Franchise Areas

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**ORDINANCE NO. 2016-\_\_\_\_****(Solid Waste Collection and Transportation)**

The Contra Costa County Board of Supervisors ordains as follows:

**SECTION I. SUMMARY.** This ordinance amends Chapter 418-2 of the County Ordinance Code to establish permit requirements for the collection and transportation of solid waste in the unincorporated area of Contra Costa County.

**SECTION II. AUTHORITY.** This ordinance is adopted pursuant to Article 11, section 7 of the California Constitution, Public Resources Code section 40059 and Vehicle Code section 21100.

**SECTION III.** Chapter 418-2 of the County Ordinance Code is amended to read:

**Chapter 418-2 Solid Waste Collection and Transportation****418-2.002 Definitions.**

For purposes of this chapter, the following words and phrases have the following meanings:

(a) “Solid waste” means all solid waste as defined in Public Resources Code section 40191 as may be amended from time to time.

(b) “Solid waste facility” means a solid waste facility as defined in Public Resources Code section 40194 as may be amended from time to time. (Ords. 2016-\_\_\_\_ § 3, 82-42 § 1: prior code § 4500: Ord. 1443.)

**418-2.004 Permit requirement.**

No person shall collect solid waste from any location in the unincorporated area and transport it over the public streets or highways of the unincorporated area except under a valid permit issued under this chapter, unless an exemption applies. (Ord. 2016-\_\_\_\_ § 3; prior code § 4501: Ord. 1443.)

**418-2.006 Territorial limits; solid waste types.**

(a) A permit issued under this chapter authorizes the permittee to collect specified types of solid waste within a specified territory in the unincorporated area and to transport it over the public streets and highways of the unincorporated area.

(b) A person may obtain a permit under this chapter to collect solid waste from territory in the unincorporated area only to the extent that another person does not have an exclusive privilege or right to collect that solid waste from that territory under a valid franchise agreement. (Ord. 2016-\_\_\_\_ § 3; prior code § 4502: Ord. 1443.)

**418-2.008 Exemptions.**

The requirement to obtain a permit under Section 418-2.004 does not apply to any of the following:

(a) The collection and transport of solid waste by the owner or occupant of the real property where the solid waste was generated.

(b) The collection and transport of solid waste that is generated on real property in the course of a service provided to the owner or tenant of that property by a building contractor or landscape contractor, if the solid waste is collected and transported by the contractor.

(c) The collection and transport of solid waste under a valid federal, state or other local agency permit.

(d) The collection and transport of solid waste under a valid franchise agreement.

(e) The collection and transport of solid waste that is generated in a mechanized manufacturing process or at a publicly operated treatment works.

(f) The collection and transport of source-separated recyclable material. (Ords. 2016-\_\_\_\_ § 3, 91-26 § 2: prior code § 4503: Ord. 1443.)

#### **418-2.010      Application.**

(a) A person may apply for a solid waste collection and transportation permit by submitting an application to the Contra Costa County Health Services Department, Environmental Health Division, and paying an application fee established by the board by resolution. The application must be made using a form approved by the health officer and include all of the following:

(1) The full name, address and telephone number(s) of the applicant.

(2) Identification of all vehicles proposed to be used in the collection and transport of solid waste under the permit, including legible copies of valid California registration cards for each vehicle.

(3) Documents showing that all individuals who will operate any of the vehicles described in Section 418-2.010(a)(2) have legal authority to operate those vehicles, including legible copies of valid California driver's licenses.

(4) Identification of the types of solid waste to be collected and transported.

(5) Identification of the types of locations where solid waste will be collected.

(6) Identification of the specific territory to be served.

(7) Identification of the locations to which the solid waste will be transported.

(8) A description of any services to be provided to a customer related to the collection and transport of solid waste for that customer.

(b) A copy of the application will be provided by the health officer to the director of the department of conservation and development for review to determine whether any other person has obtained an exclusive right or privilege from the county to collect and transport the same type of solid waste described in Section 418-2.010(a)(4) from the same territory described in Section 418-2.010(a)(6). The review will be conducted and completed no later than 30 calendar days following the date that the application is submitted.

(c) A copy of the application will be provided by the health officer to local public agencies that have jurisdiction over solid waste handling within the territory described in Section 418-2.010(a)(6), including sanitary districts and community services districts, for review to determine whether any other person has obtained an exclusive right or privilege from the agency to collect and transport the same type of solid waste described in Section 418-2.010(a)(4) from the same territory described in Section 418-2.010(a)(6). (Ords. 2016-\_\_\_\_ § 3, 91-26 § 3, 82-42 § 2: prior code § 4504: Ord. 1443.)

#### **418-2.012      Vehicle inspections.**

(a) All vehicles proposed to be used for collection and transport of solid waste under a permit issued under this chapter shall be made available for inspection by the health officer.



(b) Before a new or renewed permit is issued under this chapter, the health officer shall inspect all vehicles proposed to be used for collection and transport of solid waste under the permit to determine compliance with the following minimum standards:

(1) The vehicle must be designed, constructed and configured for safe handling and to securely contain the type of solid waste proposed to be collected; and

(2) The vehicle must be prominently marked with the name and telephone number of the applicant. (Ord. 2016-\_\_\_\_, § 3.)

#### **418-2.014 Permit issuance; grounds for denial.**

(a) After receipt of an application and payment of a permit fee established by the board by resolution, and following the review by the director of the department of conservation and development under Section 418-2.010(b), the health officer shall issue a solid waste collection and transportation permit unless any of the following grounds for denial exists:

(1) The director of the department of conservation and development or a local public agency identified in Section 418-2.010(c) advises the health officer that another person has an exclusive right or privilege to collect and transport the same type of solid waste described in Section 418-2.010(a)(4) from the same territory described in Section 418-2.010(a)(6).

(2) The application is incomplete or inaccurate.

(3) A permit issued to the applicant under this Section 418-2.012 has been revoked within 12 months prior to the date of the application.

(4) The applicant has failed to pay an outstanding fine.

(5) The health officer determines that a vehicle proposed to be used in the collection and transport of solid waste under the permit does not conform to the minimum standards set forth in Section 418-2.012(b)(2).

(b) The health officer shall provide written notice to the applicant of any denial of a permit under this chapter and the reasons for the denial. (Ord. 2016-\_\_\_\_, § 3.)

#### **418-2.016 Conditions.**

The following requirements are conditions of operation under a permit issued under this chapter:

(a) The permittee must comply with all applicable laws and regulations.

(b) A copy of the permit must be kept in each vehicle used for solid waste collection and transportation under the permit and produced immediately in response to a demand of the health officer or any peace officer.

(c) All solid waste must be transported only to:

(1) A solid waste facility that is lawfully operated under all required state and local permits, registrations and enforcement agency notifications; or

(2) A recycling facility that, as its principal function, receives wastes that have already been separated for reuse and are not intended for disposal, and is lawfully operated in accordance with all applicable laws and regulations.

(d) Each vehicle used for solid waste collection or transportation under the permit must prominently display, on the rear of the vehicle, a permit decal issued by the health officer.

(e) Each vehicle used for solid waste collection or transportation under the permit must be marked with the name and telephone number of the permittee. Markings must be in sharp contrast to the background and of such size as to be readily visible during daylight hours from a distance of 50 feet. Markings must be applied to each sidewall of a vehicle.

(f) Each vehicle used for solid waste collection or transportation under the permit must be regularly cleaned and maintained to prevent the creation of a nuisance.

(g) The permittee must maintain, on a rolling basis, original records showing, for the immediately preceding 12 months, the type and weight of all solid waste collected, the location where each load of solid waste was collected, and the disposal site or other final destination of each load collected. Copies of these records must be submitted to the health officer upon request.

(h) The permittee must submit quarterly reports to the health officer showing the type and weight of solid waste collected, the location where solid waste was collected, and the disposal site or other final destination of each load collected. (Ord. 2016-\_\_\_\_, § 3.)

#### **418-2.018 Bond.**

A permittee must file with the county and maintain until permit expiration a performance bond or equivalent security of the type and in the amount set by the board by resolution. (Ord. 2016-\_\_\_\_, § 3.)

#### **418-2.020 Permit expiration and renewal.**

(a) A permit issued under this chapter remains valid until the permit expires or is revoked under Section 418-2.022.

(b) A permit expires on the last day of February unless it is renewed prior to expiration. A permittee may apply for renewal of the permit by submitting an application that conforms to the requirements set forth in Section 418-2.010 and payment of a permit fee established by the board by resolution. (Ord. 2016-\_\_\_\_, § 3.)

#### **418-2.022 Revocation.**

(a) Grounds. A permit issued under Section 418-2.012 may be revoked by the health officer in accordance with the procedure set forth in this section if the health officer determines that (1) the permittee has failed to comply with a term or condition of operation under the permit following written notice and a reasonable opportunity to cure the violation; or (2) the permittee's conduct under the permit constitutes a nuisance.

(b) Notice. The health officer will provide written notice of intent to revoke a permit to the permittee at the address provided on the permittee's application. The notice will state all applicable grounds for the revocation and the permittee's right to a hearing under this section.

(c) Hearing. Within 15 days after the date of the notice of intent to revoke, the permittee may request a hearing before the health officer by completing and submitting a written hearing request form and paying a fee established by the board by resolution. The hearing will be held no sooner than 20 days and no later than 45 days following the date of the written request for hearing.

(d) Effective date. If no hearing is timely requested, the revocation is effective 15 days after the date of the notice of intent to revoke. If a hearing is held, a revocation order issued by the health officer will be effective when the time to appeal under Chapter 14-4 expires, unless an appeal to the board is timely filed under Chapter 14-4. (Ord. 2016-\_\_\_\_, § 3.)

#### **418-2.024 Prohibition.**

No person shall engage the service of a person for compensation to collect solid waste from any location in the unincorporated area and transport it over a public street or highway in the

unincorporated area unless the person whose service is engaged has obtained and operates in compliance with a permit issued under this chapter or is exempt from the permit requirement. (Ord. 2016-\_\_\_\_, § 3.)

**418-2.026 Investigations.**

Whenever it is necessary to inspect a vehicle or other property to enforce the provisions of this chapter, or whenever the health officer has cause to believe that there exists on any property any violation of this chapter, the health officer may enter the property to inspect and gather evidence or perform the duties imposed on the health officer by this chapter. Entry may be made at any reasonable time upon advance notice to the owner or occupant of the property. If entry is refused, the health officer is authorized to proceed pursuant to Code of Civil Procedure section 1822.50 and following, as may be amended from time to time, and any and all other remedies provided by law to secure entry. (Ord. 2016-\_\_\_\_, § 3.)

**418-2.028 Construction.**

Nothing in this chapter shall be construed in a manner that conflicts with Vehicle Code section 21100, subdivision (b), as may be amended from time to time. (Ord. 2016-\_\_\_\_, § 3.)

**SECTION IV. EFFECTIVE DATE.** This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published in the Contra Costa Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of the supervisors voting for and against it.

PASSED on \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: David J. Twa, Clerk of the Board  
of Supervisors and County Administrator

By: \_\_\_\_\_  
Deputy

\_\_\_\_\_  
Board Chair

[seal]

**Office of the County Counsel**  
651 Pine Street, 9th Floor  
Martinez, CA 94553

**EXHIBIT B**  
Contra Costa County  
Phone: (925) 335-1800  
Fax: (925) 646-1078

**Date:** February 23, 2016

**To:** Internal Operations Committee

**From:** Sharon L. Anderson, County Counsel  
By: Linda Wilcox, Deputy County Counsel



**Re: DRAFT SOLID WASTE COLLECTION AND TRANSPORTATION ORDINANCE**

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This memo summarizes the attached draft Solid Waste Collection and Transportation ordinance. The ordinance would revise Chapter 418-2 of the County Ordinance Code to establish new permit requirements for the collection and transportation of solid waste in the unincorporated area of the county. This memo also compares the attached draft with the draft ordinance that was presented to the Internal Operations Committee on October 12, 2015.

### **Permit requirement**

Section 418-2.004 of the current draft ordinance establishes the basic permit requirement. Under the ordinance, no person shall collect solid waste from any location in the unincorporated area of the county and transport it over the public streets or highways unless the person does so under a valid permit or unless an exemption applies. "Solid waste" in the ordinance has the same meaning as "solid waste" in Public Resources Code section 40191:

" . . . all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge that is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes."

The draft ordinance that was presented to the Internal Operations Committee in October 2015 (the "2015 Draft Ordinance") included a definition of "refuse" that is not needed because it is included within the current draft's definition of solid waste. Other additional definitions in the 2015 Draft Ordinance are also not necessary and for that reason were omitted from the current draft ordinance.

### **Territorial limits; solid waste types**

There are multiple solid waste collection franchise agreements in force in the unincorporated area of the county. Some are agreements with the county, and others involve

other public agencies. Under these agreements, companies have obtained exclusive rights to collect and remove specified types of solid waste in defined areas.

An ordinance authorizing the issuance of a permit to collect and transport all types of solid waste in the entire unincorporated area would likely conflict with one or more of these agreements. The purpose of section 418-2.006 of the current draft ordinance is to avoid conflicts by requiring permits to specify waste types and territories and prevent the issuance of permits that would conflict with another person's exclusive franchise rights.

### **Exemptions**

Under section 418-2.008 of the current draft ordinance, the following activities do not require a permit:

- (a) The collection and transport of solid waste by the owner or occupant of the real property where the solid waste was generated.
- (b) The collection and transport of solid waste that is generated on real property in the course of a service provided to the owner or tenant of that property by a building contractor or landscape contractor, if the solid waste is collected and transported by the contractor.
- (c) The collection and transport of solid waste under a valid federal, state or other local agency permit.
- (d) The collection and transport of solid waste under a valid franchise agreement.
- (e) The collection and transport of solid waste that is generated in a mechanized manufacturing process or at a publicly operated treatment works.
- (f) The collection and transport of source-separated recyclable material.

These exemptions are similar to the exemptions in section 418-2.004 of the 2015 Draft Ordinance.

### **Permit applications**

Section 418-2.010 of the current draft ordinance lays out the process for applying for a permit. An application requires eight categories of information to be provided by the applicant, on a form provided by the County. This section also describes the process for reviewing that application. The 2015 Draft Ordinance required less information from applicants.

## **Vehicle inspections**

Section 418-2.012 of the current draft ordinance authorizes the health officer to inspect vehicles before a permit is issued. A vehicle must be designed to safely handle and securely contain solid waste, and must be marked with the applicant's name and telephone number. This section is similar to section 418-2.003(e) of the 2015 Draft Ordinance.

## **Permit issuance; grounds for denial**

Under section 418-2.014 of the current draft ordinance, a permit will be issued unless there is a specific reason to deny the permit. Among other reasons, a permit may be denied if another person has an exclusive right to collect and haul the same type of waste that the permit applicant proposes to collect and transport, in the same territory described in the application. The 2015 Draft Ordinance did not state express grounds for denying a permit.

## **Conditions**

Section 418-2.016 of the current draft ordinance lists conditions of operation under a permit. One condition requires solid waste to be taken only to a lawfully operated solid waste facility or to a lawfully operated recycling facility that receives previously separated wastes<sup>1</sup>. This condition is similar to section 418-2.008(f) of the 2015 Draft Ordinance, but does not call out landfills and transfer stations because they are solid waste facilities.<sup>2</sup> The term "solid waste facilities" is defined in section 418-2.002 of the current draft ordinance.

The current draft ordinance does not include requirements that largely duplicate provisions contained in title 14 of the California Code of Regulations, such as the marking of containers and equipment construction standards.<sup>3</sup> Those provisions are enforceable by Contra Costa Environmental Health in its capacity as the solid waste local enforcement agency.

Section 418-2.016 of the current draft ordinance contains a new condition that would require a permittee to keep a copy of the permit in each vehicle and produce it in response to a demand of the health or a peace officer. This condition may aid in enforcement of the ordinance.

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<sup>1</sup> A recycling center that separates recyclables out of mixed loads would be considered a solid waste facility. (Pub. Resources Code, §§ 40172, 40194, 40200, subd. (a).)

<sup>2</sup> See Pub. Resources Code, § 40194.

<sup>3</sup> See Cal. Code Regs., tit. 14, §§ 17316 & 17341.



## **Bond**

Section 418-2.018 of the current draft ordinance requires a performance bond and authorizes the amount to be set by the board by resolution. Amendment of this amount could be accomplished by another resolution. The 2015 Draft Ordinance set a dollar amount of a bond.

## **Permit revocation**

Under section 418-2.022 of the current draft, a permit may be revoked if a permittee does not comply with a permit condition or the permittee's conduct is a nuisance. The 2015 Draft Ordinance does not say when a permit may be revoked or provide a process for disputing a revocation.

## **Prohibition**

Section 418-2.024 of the current draft ordinance prohibits the hiring of a person to collect solid waste and transport it over public streets and highways unless that person has obtained a permit or is exempt from the permit requirement. This prohibition is different from proposed section 418-2.005 of the 2015 Draft Ordinance, which prohibited a person from engaging the services of such a person whether or not for compensation. The reason for the distinction is that Vehicle Code section 21100, subdivision (b), authorizes the adoption of an ordinance licensing and regulating the operation of vehicles for hire, but not the operation of vehicles that are not for hire.

## **Investigations**

Section 418-2.026 of the current draft ordinance provides the health officer with inspection authority. This is similar to the inspection authority in the 2015 Draft Ordinance.

## **Construction**

Section 418-2.028 of the current draft ordinance says that the chapter is not to be construed in a manner that conflicts with Vehicle Code section 21100, subdivision (b). This provision, which is not in the 2015 Draft Ordinance, means that the permit requirement in the current draft ordinance does not apply to persons who collect and transport waste for no compensation.

## **Enforcement**

The current draft ordinance can be enforced by Contra Costa Environmental Health and the Contra Costa County Sheriff's Office under existing ordinances and statutes. County Ordinance Code section 14-8.008(a)(1) authorizes the health services director to issue citations to persons who violate Chapter 418-2. Existing statutes would give the sheriff and his deputies

the authority to issue citations under this ordinance, since a violation would be an infraction punishable by a fine.<sup>4</sup>

LW/

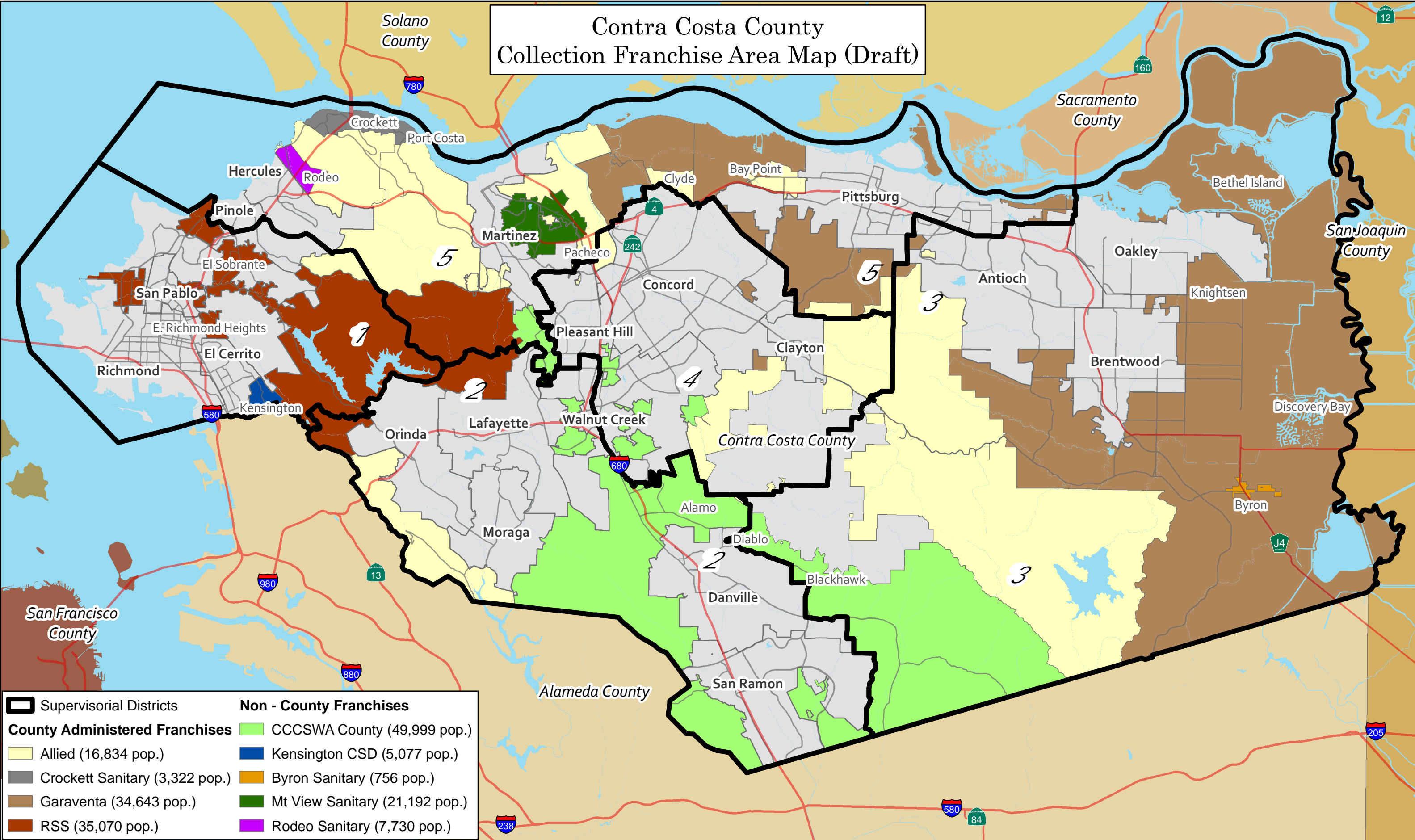
cc: David J. Twa, County Administrator  
John Kopchik, Conservation and Development Director  
Marilyn C. Underwood, Environmental Health Director

H:\Ordinances\IOCommittee.re.WasteHaulerOrd.2.23.16.wpd

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<sup>4</sup> Gov. Code, § 24000, subdivision (b), 24101, 26601; Pen. Code, §§ 15, 16; County Ord. Code, §§ 14-8.002 & 14-8.004(a)(1).

# Contra Costa County Collection Franchise Area Map (Draft)



Supervisorial Districts

**County Administered Franchises**

Allied (16,834 pop.)

Crockett Sanitary (3,322 pop.)

Garaventa (34,643 pop.)

RSS (35,070 pop.)

**Non - County Franchises**

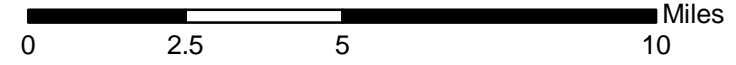
CCCSWA County (49,999 pop.)

Kensington CSD (5,077 pop.)

Byron Sanitary (756 pop.)

Mt View Sanitary (21,192 pop.)

Rodeo Sanitary (7,730 pop.)



\* Population numbers from 2010 Census Data \*

Map Created 2/23/2016  
by Contra Costa County Department of  
Conservation and Development, GIS Group  
30 Muir Road, Martinez, CA 94553  
37:59:41.791N 122:07:03.756W

This map was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.





# Contra Costa County Board of Supervisors

## Subcommittee Report

### INTERNAL OPERATIONS COMMITTEE - SPECIAL

7.

**Meeting Date:** 02/29/2016  
**Subject:** Community Choice Energy Aggregation Update  
**Submitted For:** John Kopchik, Director, Conservation & Development Department  
**Department:** Conservation & Development  
**Referral No.:** IOC 16/11  
**Referral Name:** Community Choice Energy Aggregation  
**Presenter:** Jason Crapo, Conservation & Development Department  
**Contact:** Jason Crapo (925) 674-7722

#### Referral History:

The Board of Supervisors referred the topic of Community Choice Energy (CCE) to the Internal Operations Committee (IOC) on August 18, 2015.

The IOC received an initial report on this topic at its meeting on September 14, 2015, at which time the IOC recommended that the Board of Supervisors (Board) direct the Department of Conservation and Development (DCD) to initiate outreach to cities within Contra Costa County to determine the level of interest cities have in partnering with the County to investigate three potential alternatives for implementing CCE in Contra Costa County. These three alternatives are as follows:

1. Form a new Joint Powers Authority (JPA) of the County and interested cities within Contra Costa County for the purpose of CCE;
2. Form a new JPA in partnership with Alameda County, and interested cities in both counties; and
3. Join the existing CCE program initiated in Marin County known as Marin Clean Energy, or MCE

On October 13, 2015, the Board accepted the recommendations of the IOC and directed DCD to initiate outreach to cities within Contra Costa County to determine the level of interest cities have in joining with the County to investigate these three alternatives. The Board also authorized DCD to hire a consultant to assist the County with this outreach effort. The Board directed DCD to report back to the IOC regarding the outcome of outreach to cities.

#### Referral Update:

This report will describe the outreach activities undertaken by County staff, discuss the responses the County has received from cities to these outreach efforts, and recommend next steps.

In summary, based on the interest expressed by cities in working with the County to further investigate options for potentially implementing CCE within the County, staff recommends the IOC and the Board direct staff to continue working with Contra Costa cities towards completion of a technical study that would evaluate options for potentially implementing CCE in Contra Costa County.

#### Outreach Activities

Between November 2015 and January 2016, County staff conducted a variety of outreach activities to engage cities on the topic of Community Choice Energy (CCE). These activities included meetings with City Managers and other city staff, attendance at the December 3, 2015 Mayors Conference, three public workshops in mid-December held in different regions of the County, and presentations provided by County staff and consultants at five City Council meetings during the month of January.

On November 13, 2015, the County Administrator sent a letter (Attachment A) to all City Managers in Contra Costa County asking for responses back from cities by January 31, 2016 indicating the level of interest cities have in partnering with the County to study CCE. This letter specifically asked if cities would authorize the County to obtain electrical load data from PG&E for the purpose of potentially conducting a technical study of CCE in Contra Costa County, and if the cities would be willing to contribute financially towards the cost of such a study if one were conducted.

To facilitate greater public understanding of CCE and assist cities in their deliberations on the subject, DCD staff and consultants hosted three public workshops in December 2015: the first on December 10 at Walnut Creek City Hall, the second on December 14 at the Hercules Public Library and the third on December 16 at the Brentwood Community Center. Average attendance at these workshops was approximately 20 people, and several cities sent representatives to attend the workshops.

During the month of January 2016, many City Councils throughout the County placed items on their agendas to discuss their interest in partnering with the County to further study implementation of CCE. County staff and consultants were invited to attend and make presentations at the Concord, Clayton, Pinole, Lafayette and Brentwood City Council meetings.

The workshops and city council meetings held in December and January generated several press articles, which can be viewed at the following links:

- East Bay Express: <http://www.eastbayexpress.com/SevenDays/archives/2015/10/12/contracosta-considers-replacing-ngande-with-green-power-program> (10/12/15)
- Contra Costa Times: [http://www.contracostatimes.com/breaking-news/ci\\_29360872/contracosta-county-alternative-energy-idea-gathering-city](http://www.contracostatimes.com/breaking-news/ci_29360872/contracosta-county-alternative-energy-idea-gathering-city) (1/8/16)
- The Press: [http://www.thepress.net/news/brentwood/contracosta-county-considers-joining-a-community-choice-aggregation-system/article\\_50f79566-7e65-11e5-8ab8-2badb324eed0.html](http://www.thepress.net/news/brentwood/contracosta-county-considers-joining-a-community-choice-aggregation-system/article_50f79566-7e65-11e5-8ab8-2badb324eed0.html) (10/29/15)
- Yodeler (Sierra Club): <http://theyodeler.org/?p=11203> (1/28/16)
- East Bay Express: <http://www.eastbayexpress.com/SevenDays/archives/2016/01/29/coco-county-moves-closer-to-green-energy-plan-that-would-replace-ngande> ((1/29/16)
- MarinIJ: [http://www.marinij.com/environment-and-nature/20160216/marin-clean-energy-on-brink-of-growth-as-contra-costa-eyes-effort?source=most\\_viewed](http://www.marinij.com/environment-and-nature/20160216/marin-clean-energy-on-brink-of-growth-as-contra-costa-eyes-effort?source=most_viewed) (2/16/16)
- The Press: [http://www.thepress.net/news/oaklev-council-takes-steps-toward-clean-energy/article\\_314697c6-d671-11e5-badf-5f71a1ae9678.html](http://www.thepress.net/news/oaklev-council-takes-steps-toward-clean-energy/article_314697c6-d671-11e5-badf-5f71a1ae9678.html) (2/18/16)

#### Responses from Cities

By the end of January, all 16 cities in Contra Costa County not currently enrolled in a CCE program (Richmond, El Cerrito and San Pablo are currently enrolled in Marin Clean Energy) provided written responses to the County (Attachment B) authorizing the County to request electrical load data from PG&E necessary for a technical study of CCE in Contra Costa County. Approximately half of these cities indicated varying degrees of willingness to participate in the cost of a technical study of this data, should such a study proceed. These responses are summarized in Table 1 below.

**Table 1. City Responses to County**

City	Load Data Authorization	Cost Sharing for Tech Study
Antioch	Yes	No indication
Brentwood	Yes	Yes, not to exceed \$30,000
Clayton	Yes	Yes, pending more details
Concord	Yes	Yes, not to exceed \$25,000
Danville	Yes	Yes, not to exceed \$18,000
Hercules	Yes	No indication
Lafayette	Yes	No indication
Martinez	Yes	No indication
Moraga	Yes	No indication
Oakley	Yes	No indication

Orinda	Yes	Need more information
Pinole	Yes	Need more information
Pittsburg	Yes	Yes, pending more details
Pleasant Hill	Yes	Yes, not to exceed \$15,000
San Ramon	Yes	Maybe, pending more details
Walnut Creek	Yes	Yes, not to exceed \$20,000

#### **Recommendation(s)/Next Step(s):**

Given the interest of Contra Costa cities in participating with the County to further investigate potential implementation of Community Choice Energy, staff recommends the Board direct DCD to continue with the steps required to undertake a technical study of CCE in Contra Costa County.

The immediate next step in this process would be for the County to obtain electrical load data from PG&E on behalf of the County and the 16 cities that have authorized the County to do so. This will provide the County with detailed information regarding electrical usage within the covered jurisdictions, and will constitute the raw data necessary to conduct a technical study of potential CCE implementation within the County.

Staff recommends that the Board direct DCD to work in partnership with interested cities to jointly fund a technical study of CCE in Contra Costa County that would evaluate three options: a program including only interested jurisdictions within Contra Costa County; a program that is a partnership with Alameda County and interested jurisdictions in the two-county region; and joining the existing CCE program originated in Marin County known as Marin Clean Energy.

Such a technical study would be conducted by a qualified consultant selected through a competitive process. The technical study would evaluate electrical load data to determine the amount of electricity a CCE program would need to procure in order to serve electricity consumers in the participating communities, and would estimate the billing rates that a CCE program would need to charge electricity customers in order to pay for program operations.

The study would analyze how rates might vary under scenarios in which the CCE program offered customers different levels of electricity originating from renewable sources (for example, rates associate with 50% renewable or 100% renewable options). Electricity rates for these scenarios would be compared to products offered by the incumbent utility, PG&E (Attachment C). The technical study would also include a risk analysis of factors that could potentially interfere with successful operation of a CCE program within the County, such as risks associated with price volatility in energy markets and risks stemming from legal or regulatory changes. CCE technical studies performed in other Bay Area counties have included additional components, including analysis of the impact a CCE program might have on local renewable power generation and local job creation.

As stated in Table 1 above, roughly half of the cities in Contra Costa County have indicated some degree of willingness to contribute financially towards the cost of a technical study. Staff recommends that the Board direct DCD to work with cities to finalize payment arrangement and initiate the technical study. Staff recommends that the County and each participating city pay for a portion of the cost of the technical study similar to its proportion of the total population covered under the study.

Staff proposes that DCD work with the cities to finalize the scope of the technical study, develop and issue a Request for Proposals (RFP), and select a consultant to perform the technical study. The County would then enter into a contract with the selected consultant. The results of the technical study would be reported to the cities and the Board of Supervisors, and staff would seek further direction.

#### **Project Schedule and Budget**

Completing a technical study of Community Choice Energy would represent the first major phase of activity related to potential implementation of CCE within Contra Costa County. Following a technical study, additional steps would be required to launch a CCE program, should the Board decide to proceed with implementation.

An estimated schedule and budget for fully implementing CCE within the County is attached to this report (Attachment D). The time and expense associated with implementing CCE within the County depends heavily on the outcome of the technical study and the resulting direction selected by the Board and participating cities.

The CCE option likely to require the greatest commitment of time and resources would be the option to form a new JPA comprised of the County and cities within Contra Costa County. Following the technical study, such an option would involve two additional phases of activity: JPA Formation and Program Launch. The activities associated with these additional project phases and the estimated time and expense to complete these activities are described in greater detail in Attachment D. Staff estimates the total time needed to implement the Contra Costa JPA option and begin providing electricity to customers would be in the range of two to three years and would cost approximately \$2 million.

#### **Recommendation(s)**

Staff recommends the IOC and Board of Supervisors direct DCD and other County staff to take the following actions:

1. Take all actions necessary to obtain electrical load data from PG&E on behalf of the County and all cities in Contra Costa County that have authorized the County to do so.
2. Work with interested cities in Contra Costa County to conduct a technical study of options for potentially implementing CCE within Contra Costa County, anticipating the County's share of cost is estimated to be in the range of \$25,000 to \$50,000.
3. Authorize DCD to amend the consulting services contract with LEAN Energy to increase the payment by \$75,000 to a new payment limit of \$100,000 for consulting services through completion of the technical study.

#### **Fiscal Impact (if any):**

Should the IOC and the Board approve the recommendations of this report, the cost to the County would be approximately \$300,000. This includes an estimated \$125,000 in consulting services and \$175,000 in County staff costs to manage the project. Staff recommends that these consulting and staffing costs be funded from the County's General Fund.

These costs would include an amendment to the County's current consulting services contract with LEAN Energy to increase the contract limit by \$75,000 to assist DCD with obtaining electrical load data from PG&E, refining the scope of the technical study and developing the RFP, evaluating proposals from consultants for conducting the technical study, interpreting the results of the technical study and reporting the findings of the technical study to cities, the IOC and the Board of Supervisors. LEAN Energy will also assist County staff in conducting a variety of community outreach activities to provide information and education to the public and to gather public input to assist decision makers in evaluating the results of the technical study.

The costs of the actions recommended by this report also include the County's share of cost for conducting the technical study. The total cost of the technical study is estimated to be in the range of \$75,000 to \$150,000. The County's share of this cost is estimated to be in the range of \$25,000 to \$50,000.

Costs of the actions recommended in this report also include the cost of DCD staff time until the end of 2016 at a cost of approximately \$150,000 plus the cost of County Counsel staff time, estimated to be \$25,000 during 2016.

The County would seek to have its costs reimbursed in the future from the revenues of a new CCE program should a new JPA be created for this purpose. If a new JPA is not established, the County's costs are unlikely to be reimbursed.

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#### **Attachments**

Attachment A: CAO Letter to CC Cities

Attachment B: City Responses to CAO Letter

Attachment C: PG&E's New Solar Choice Offering

Attachment D: Proposed CCE Tech Study Schedule and Budget

Attachment E: CCE Powerpoint Presentation

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## County Administrator

County Administration Building  
651 Pine Street, 10th Floor  
Martinez, California 94553-1229  
(925) 335-1080  
(925) 335-1098 FAX

David J. Twa  
County Administrator

## Contra Costa County



## Board of Supervisors

John M. Gioia  
1<sup>st</sup> District

Candace Andersen  
2<sup>nd</sup> District

Mary N. Piepho  
3<sup>rd</sup> District

Karen Mitchoff  
4<sup>th</sup> District

Federal D. Glover  
5<sup>th</sup> District

November 13, 2015

# SAMPLE

Gus Vina, City Manager  
City of Brentwood  
150 City Park Way  
Brentwood, CA 94513-1396

### **RE: Request for Authorization to Obtain City Electric Load Data for Community Choice Aggregation Study**

Dear Mr. Vina:

On October 13, 2015, the Board of Supervisors directed County staff to investigate three alternatives for Community Choice Aggregation in the unincorporated area of the County, and to engage cities within the County to determine the interest of cities in studying these alternatives. The three alternatives under consideration are as follows:

- Form a new Joint Powers Authority (JPA) comprised of the County and interested cities within Contra Costa County for the purpose of Community Choice Aggregation
- Form a new JPA comprised of interested cities in Contra Costa County and Alameda County and its participating cities for the purpose of Community Choice Aggregation
- Join the existing Community Choice Aggregation JPA established in Marin County, known as Marin Clean Energy

Please reply to this letter by January 31, 2016, to indicate your city's interest in authorizing the County to obtain your city's electrical load data from PG&E for the purpose of studying alternatives for Community Choice Aggregation, and to indicate your city's willingness to share in the cost of such a study. A sample resolution and letter of authorization are attached for your convenience; either document is sufficient to meet PG&E's approval requirements.



## Background

Community Choice Aggregation (CCA) is the practice of aggregating consumer electricity demand within a jurisdiction or region for the purpose of procuring electricity and selling it to customers. Authorized in California State law since 2002, Community Choice Aggregation has been practiced in several states across the country for the past few decades.

CCA has benefits, costs and risks for local governments to consider. Potential benefits include increasing the proportion of electricity generated from renewable sources; lower electricity rates for residents, business and public agencies; increased competition in the electricity market; and, greater local control over decisions related to the procurement and consumption of electricity.

Costs and risks associated with CCA include the cost of the various start-up activities necessary to initiate service to customers and the risk these costs may not be recovered. Costs and risks will vary depending on the CCA alternatives chosen by local jurisdictions.

The investigation of CCA alternatives in Contra Costa County requires a technical study to estimate the electricity rates that would be charged to customers under the three CCA alternatives under consideration. Such a technical study requires that electricity load data for each participating jurisdiction be obtained from PG&E. Subject to direction by the Board of Supervisors, my office will initiate such a data request on behalf of participating jurisdictions within the County. The County is interested to know if your city will authorize the County Administrator to request load data on the City's behalf. Your permission for the County to request your community's electrical load data from PG&E would in no way obligate your city to participate in CCA.

Once electricity load data is received by the County from PG&E for participating jurisdictions, this data may be used to conduct a technical study that will evaluate electricity demand within these jurisdictions to estimate the electricity rates that would be charged to customers under the three CCA alternatives being considered. The County is interested to know if the City would be willing to share in the cost of this technical study. The total cost of the study would likely be in the range of \$75,000 - \$150,000. The County proposes this cost would be shared among the participating jurisdictions. For example, if the County and nine cities were to share in the cost of the technical study, the estimated cost for each participating jurisdiction would be in the range of \$7,500 to \$15,000. Following the conclusion of this study, participating jurisdictions would evaluate its findings and decide whether to pursue one of the CCA alternatives studied. Depending on the chosen course of action, some or all of the start-up costs may be recoverable.

To assist County residents, business owners, elected officials, and other interested parties to better understand Community Choice Aggregation, the County will host three (3) workshops in West, Central and East County during the month of December. The meeting times and locations are as follows:

- December 10, Walnut Creek City Hall, 7:00 – 9:00 PM
- December 14, Hercules Public Library, 7:00 – 9:00 PM
- December 16, Brentwood Community Center, 7:00 – 9:00 PM

Should you have any questions regarding this letter, please contact Jason Crapo with the County Dept. of Conservation and Development at (925) 674-7722 or [jason.crapo@dcd.cccounty.us](mailto:jason.crapo@dcd.cccounty.us).

Sincerely,



DAVID TWA  
County Administrator

*Enclosed: Sample load data authorization resolution and authorization letter*

SAMPLE



January 25, 2016

David Twa, County Administrator  
County of Contra Costa  
651 Pine Street, 10<sup>th</sup> Floor  
Martinez, CA 94553

Subject: Support for Electrical Load Data Request to Study the Feasibility of a  
Community Choice Aggregation Program in the County of Contra Costa

Dear Mr. Twa:

We have reviewed your letter in which you explain the County's plan to request from PG&E the County of Contra Costa's electric energy use data, i.e. electricity consumption and load data for all customer classes and customers located within the County's unincorporated land area and within the jurisdictions of the County, including the City of Antioch. We support this request and authorize the County of Contra Costa to receive and analyze the electrical load data on behalf of the City.

We understand that this data will be used to investigate the feasibility of electrical procurement options through a potential Community Choice Aggregation (CCA) program that could cover all or part of Contra Costa County. We understand that by making this authorization and request, the City of Antioch is not obligated to pursue any alternative electricity procurement through a CCA program in the future.

Sincerely,

Steve Duran  
City Manager

**MAILING ADDRESS:**  
City Hall  
150 City Park Way  
Brentwood, CA 94513  
Phone: 925-516-5400  
Fax: 925-516-5401  
[www.brentwoodca.gov](http://www.brentwoodca.gov)

**ADMINISTRATIVE SERVICES**  
150 City Park Way  
Phone: 925-516-5460  
Fax: 925-516-5401

**CITY MANAGER**  
150 City Park Way  
Phone: 925-516-5440  
Fax: 925-516-5441

**COMMUNITY DEVELOPMENT**  
150 City Park Way  
Phone: 925-516-5405  
Fax: 925-516-5407

**PARKS AND RECREATION**  
35 Oak Street  
Phone: 925-516-5444  
Fax: 925-516-5445

**POLICE**  
9100 Brentwood Boulevard  
Phone: 925-634-6911  
24 Hr. Dispatch: 925-778-2441  
Fax: 925-809-7799

**PUBLIC WORKS**

**Operations Division**  
2201 Elkins Way  
Phone: 925-516-6000  
Fax: 925-516-6001

**Engineering Division**  
150 City Park Way  
Phone: 925-516-5420  
Fax: 925-516-5421

**OFFICE OF THE CITY MANAGER**

January 28, 2016

Mr. David Twa  
County Administrator  
County Administration Building  
651 Pine Street, 10<sup>th</sup> Floor  
Martinez, CA 94553

Subject: Authorization to Obtain City Electric Load Data for Community Choice Aggregation Study

Dear Mr. Twa:

At its January 26, 2016 City of Brentwood Council meeting, the City Council voted to approve participating with the County on the Community Choice Aggregation study and to pay a fair share of the costs of such a study. Please note that the Council authorized a not-to-exceed \$30,000 for our share and should the costs exceed this amount I will need to return to the City Council for their reconsideration.

It is our understanding that to begin this study you will need to obtain the city electric load data and through this letter we are authorizing that the information be provided. Furthermore, we understand that the County's study will consider the following alternatives: 1) form a new Joint Powers Authority (JPA) comprised of the County and interested cities within Contra Costa County, 2) form a new JPA comprised of interested cities in Contra Costa County and Alameda County, and 3) join the existing Community Choice Aggregation JPA established in Marin County, known as Marin Clean Energy.

The City Council understands that participating in and funding the study does not bind nor otherwise obligate the City of Brentwood to neither the study recommendations nor moving forward with a Community Choice Aggregation JPA. Recommendations from the study would be presented to the City Council for their consideration at that time.

Mr. David Twa, County Administrator  
January 28, 2016  
Page 2 of 2

I wish to thank Mr. Jason Crapo for his presentation to the City Council. He did a nice job and it was helpful to understand how the County is pursuing this research and study.

Thank you and please let me know if you have any questions.

You can always reach me on my cell at 925-308-3800.



Gustavo "Gus" Vina  
City Manager

cc: City Council, City of Brentwood  
Casey McCann, Community Development Director

# CITY OF CLAYTON

Founded 1857... Incorporated 1964

COMMUNITY  
DEVELOPMENT (925) 673-7340  
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250  
TELEPHONE (925) 673-7300 FAX (925) 672-4917

RECEIVED  
JAN 28 2016  
OFFICE OF  
COUNTY ADMINISTRATOR

City Council  
DAVID T. SHUEY, Mayor  
HOWARD GELLER, Vice Mayor  
JIM DIAZ  
KRITH HAYDON  
JULIE K. PERCE

January 26, 2015

David Twa, County Administrator  
Contra Costa County  
County Administrative Building  
651 Pine Street, 10<sup>th</sup> Floor  
Martinez, CA 94553-1229

**Re: City of Clayton Authorization to Obtain City Electric Load Data  
Community Choice Aggregation (CCA) Clean Energy Study**

Dear Mr. Twa:

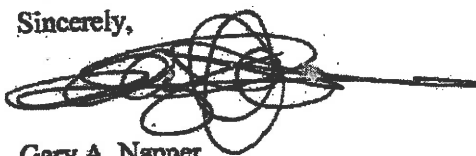
At its regular public meeting held on 19 January 2016, the Clayton City Council considered the request by Contra Costa County seeking the level of our City's interest in studying alternatives for Community Choice Aggregation (CCA). The County's request (dated 13 November 2015) further sought the City's willingness to share in the cost of the corresponding technical study.

Following its discussion and opportunity for public comments, the Clayton City Council by motion did approve a Resolution (copy enclosed) authorizing the County to obtain its electric load data from Pacific Gas and Electric Company for use in analyzing the feasibility of electrical procurement options through a CCA JPA. The City's permitted authorization in no way binds or commits the City to any participation in a CCA program or JPA.

In addition the Clayton City Council expressed its openness to share in the expense to investigate the efficacy and effectiveness of a CCA established in and for the benefit of Clayton and the County, but the City Council stopped short of authorizing any City funds at this point in the process. Before committing local funds, the City wishes to know the number of other cities in Contra Costa County willing participate in the technical study and how the study's cost will be apportioned among the participants. In that regard, since a CCA ultimately functions on the number of subscribers, our City strongly urges an expense allocation based on a per capita basis.

Thank you for the County leadership demonstrated in this quest for use of cleaner energy sources and we look forward to learning more about the next procedural step.

Sincerely,



Gary A. Napper  
City Manager

Enclosure: City Resolution No. 01-2016 [1 pg.]

cc: JULIE ENEA  
JOHN KOPCHIK



**RESOLUTION NO. 06-2016**

**A RESOLUTION AUTHORIZING CONTRA COSTA COUNTY TO COLLECT THE PG&E ELECTRICAL LOAD USAGE DATA FOR ALL CUSTOMER CLASSES AND CUSTOMERS WITHIN THE CITY OF CLAYTON AND AFFIRMING THE CITY OF CLAYTON'S INTEREST IN PARTICIPATING IN THE FEASIBILITY AND TECHNICAL STUDY TO FORM A COMMUNITY CHOICE AGGREGATION IN PARTERSHIP WITH CONTRA COSTA COUNTY**

**THE CITY COUNCIL  
City of Clayton, California**

**WHEREAS**, the City of Clayton has demonstrated its commitment to an environmentally friendly sustainable future through its policy goals and action, including energy reduction, clean energy, and sustainability programs; and

**WHEREAS**, the County of Contra Costa and the City Council of Clayton have identified Community Choice Aggregation as a potential strategy to meet local clean energy goals and projected greenhouse reduction targets; and

**WHEREAS**, Community Choice Aggregation is a mechanism by which local governments assume responsibility for providing electrical power for residential and commercial customers in their jurisdiction in partnership with Pacific Gas and Electric Company; and

**WHEREAS**, Community Choice Aggregation, if determined to be technically feasible, could provide substantial environmental and economic benefits to all residents and businesses in the City of Clayton; and

**WHEREAS**, Community Choice Aggregation also provides the opportunity to fund and implement a wide variety of energy related programs of interest to the community; and

**WHEREAS**, in addition to technical and financial feasibility, it is important to determine whether there is adequate public support for Community Choice Aggregation; and

**WHEREAS**, determining technical feasibility and public support requires the analysis of energy load data from Pacific Gas & Electric Company and a focused stakeholder education and outreach effort; and

**WHEREAS**, adoption of this Resolution in no way binds or otherwise obligates the City of Clayton to participate in Community Choice Aggregation, unless it so chooses by subsequent passage of a City ordinance.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Clayton, California does hereby indicate its interest to participate in the pre-development and

feasibility phase of Community Choice Aggregation in partnership with Contra Costa County without obligation of the expenditure of City General Funds unless expressly authorized by the City Council by separate action; and

**BE IT FURTHER RESOLVED** the City Manager is authorized to execute the appropriate documents to allow the County and/or its technical consultants to request energy usage/load data from Pacific Gas & Electric Company so that it may be analyzed as part of a countywide Community Choice Aggregation technical study.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Clayton, California at a regular public meeting thereof held on 19<sup>th</sup> day of January, 2016 by the following vote:

AYES: Mayor Geller, Councilmembers Haydon, Pierce and Shuey.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Mayor Diaz.

THE CITY COUNCIL OF CLAYTON, CA

  
HOWARD GELLER, Mayor

ATTEST:

  
JANET BROWN, City Clerk

CITY OF CONCORD  
1950 Parkside Drive, MS/01  
Concord, California 94519-2578  
FAX: (925) 798-0636

OFFICE OF THE MAYOR  
Telephone: (925) 671-3158



CITY COUNCIL  
Laura M. Hoffmeister, Mayor  
Ronald E. Leone, Vice Mayor  
Edi E. Birsan  
Timothy S. Grayson  
Daniel C. Helix

Tim McCallian, City Treasurer  
Valerie J. Barone, City Manager

February 8, 2016

David Twa, County Administrator  
County of Contra Costa  
651 Pine St., 10<sup>th</sup> Floor  
Martinez, CA 94553

**Subject: Support for Electrical Load Data Request to study the feasibility of a Community Choice Aggregation Program in the County of Contra Costa**

Dear Mr. Twa:

On January 12, 2016, the Concord City Council approved the attached Resolution No. 16-7 authorizing Contra Costa County to request electrical load data from PG&E for purposes of a technical feasibility study of Community Choice Aggregation and authorizing expenditures not to exceed \$25,000 towards such a technical study.

We have reviewed your letter in which you explain the County's plan to request from PG&E the County of Contra Costa's electric energy use data, i.e. electricity consumption and load data for all customer classes and customers located within the County's unincorporated land area and within the jurisdictions of the County, including Concord. We support this request and authorize the County of Contra Costa to receive and analyze the electrical load data on behalf of the City.

We understand that this data will be used to investigate the feasibility of electrical procurement options through a potential Community Choice Aggregation (CCA) program that could cover all or part of Contra Costa County. We understand that by making this authorization and request, the City of Concord is not obligated to pursue any alternative electricity procurement through a CCA program in the future.

Sincerely,

Valerie Barone  
City Manager

Enclosure: Concord Council Resolution No. 16-7

cc: Jason Crapo, Contra Costa County

BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD  
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

A Resolution Authorizing the City Manager to  
Authorize the County to Collect Electrical Usage Data  
on Behalf of the City and to Contribute City Funding  
for a Community Choice Aggregation Technical  
Study Before the City Council of the City of Concord  
County of Contra Costa, State of California

Resolution No. 16-7

**WHEREAS**, the City of Concord has an adopted local Climate Action Plan which sets  
greenhouse gas reduction goals; and

**WHEREAS**, the County of Contra Costa and the City Council of Concord have identified  
Community Choice Aggregation as a potential strategy to meet local clean energy goals and projected  
greenhouse gas reduction targets; and

**WHEREAS**, Community Choice Aggregation is a mechanism by which local governments  
assume responsibility for providing electrical power for residential and commercial customers in their  
jurisdiction in partnership with Pacific Gas & Electric Co.; and

**WHEREAS**, Community Choice Aggregation, if determined to be technically and financially  
feasible, could provide substantial environmental and economic benefits to all residents and  
businesses in Concord; and

**WHEREAS**, Community Choice Aggregation also provides the opportunity to fund and  
implement a wide variety of energy-related programs of interest to the community; and

**WHEREAS**, in addition to technical and financial feasibility, it is important to determine  
whether there is adequate public support for Community Choice Aggregation; and

**WHEREAS**, determining technical feasibility and public support requires the analysis of  
energy load data from PG&E and a focused stakeholder education and outreach effort.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES  
RESOLVE AS FOLLOWS:**

**Section 1.** The City of Concord indicates its interest to participate in the pre-development and  
feasibility phase of Community Choice Aggregation in partnership with Contra Costa; and authorizes  
the City Manager to execute the appropriate documents in an amount not to exceed \$25,000 toward a

1 countywide Community Choice Aggregation technical feasibility study and to allow the County  
2 and/or its technical consultants to request energy usage/load data from Pacific Gas & Electric  
3 Company so that it may be analyzed as part of a countywide Community Choice Aggregation  
4 technical study.

5 Adoption of this resolution in no way binds or otherwise obligates the City of Concord to  
6 participate in Community Choice Aggregation, unless at a future date after the technical study is  
7 received, the City Council chooses to do so by passage of a City ordinance.

8 **Section 2.** This resolution shall become effective immediately upon its passage and adoption.

9 **PASSED AND ADOPTED** by the City Council of the City of Concord on January 12, 2016,  
10 by the following vote:

11 **AYES:** Councilmembers - E. Birsan, T. Grayson, D. Helix, R. Leone, L. Hoffmeister

12 **NOES:** Councilmembers - None

13 **ABSTAIN:** Councilmembers - None

14 **ABSENT:** Councilmembers - None

15 **I HEREBY CERTIFY** that the foregoing Resolution No. 16-7 was duly and regularly  
16 adopted at a regular meeting of the City Council of the City of Concord on January 12, 2016.

17  
18  
19   
Joelle Fockler, CMC  
City Clerk

20 **APPROVED AS TO FORM:**

21  
22   
23 Brian Libow  
Interim City Attorney



*"Small Town Atmosphere  
Outstanding Quality of Life"*

January 26, 2016

David Twa, County Administrator  
County of Contra Costa  
651 Pine Street, 10<sup>th</sup> Floor  
Martinez, CA 94553

**Subject: Support for Electrical Load Data Request to Study the Feasibility of a Community Choice Aggregation Program in Contra Costa County**

Dear Mr. Twa:

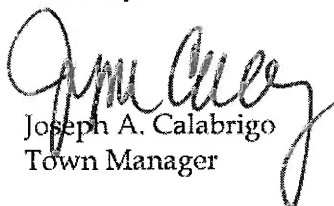
We have received your letter in which you explain the County's plan to request from Pacific Gas and Electric Company (PG&E) Contra Costa County's electric energy use data (electricity consumption and load data for all customer classes and customers located within the County's unincorporated areas and within the jurisdictions of Contra Costa County, including the Town of Danville. The Town of Danville supports this request and authorize Contra Costa County to receive and analyze the electrical load data on behalf of the City.

Furthermore, the Danville Town Council, at its meeting on January 26, 2016, authorized up to \$18,000 toward a multi-agency technical study on Community Choice Aggregation.

We understand that this data will be used to investigate the feasibility of electrical procurement options through a potential Community Choice Aggregation (CCA) program that could cover all or part of Contra Costa County. We understand that by making this authorization and request, the Town of Danville is not obligated to pursue any alternative electricity procurement through a CCA program in the future.

The Town looks forward to working collaboratively with the County of Contra Costa on this effort. To further coordinate efforts, please reach out to Assistant to the Town Manager Nat Rojanasathira at [nrojanasathira@danville.ca.gov](mailto:nrojanasathira@danville.ca.gov) or (925) 314-3328.

Sincerely,

  
Joseph A. Calabrigo  
Town Manager

Attachment: Resolution No. 3-2016

510 LA GONDA WAY, DANVILLE, CALIFORNIA 94526

Administration  
(925) 314-3386

Building  
(925) 314-3330

Engineering & Planning  
(925) 314-3310

Transportation  
(925) 314-3320

Maintenance  
(925) 314-3450

Police  
(925) 314-3700

Parks and Recreation  
(925) 314-3400





111 Civic Drive  
Hercules, CA 94547-1771  
(510) 799-8200

November 24, 2015

David Twa, County Administrator  
County of Contra Costa  
651 Pine Street, 10<sup>th</sup> Floor  
Martinez, CA 94553

Dear Mr. Twa:

We have reviewed your letter in which you explain the County's plan to request from PG&E the County of Contra Costa's electric energy use data, i.e. electricity consumption and load data for all customer classes and customers located within the County's unincorporated land area and within the jurisdictions of the County, including the City of Hercules. We support this request and authorize the County of Contra Costa to receive and analyze the electrical load data on behalf of the City.

We understand that this data will be used to investigate the feasibility of electrical procurement options through a potential Community Choice Aggregation (CCA) program that could cover all or part of Contra Costa County. We understand that by making this authorization and request, the City of Hercules is not obligated to pursue any alternative electricity procurement through a CCA program in the future.

Sincerely,

David Biggs  
City Manager

Cc: Mayor  
City Council



November 18, 2015

David Twa, County Administrator  
County of Contra Costa  
651 Pine St., 10<sup>th</sup> Floor  
Martinez, CA 94553

**Subject:** Support for Electrical Load Data Request to study the feasibility of a Community Choice Aggregation Program in the County of Contra Costa

Dear Mr. Twa,

We have reviewed your letter in which you explain the County's plan to request from PG&E, the County of Contra Costa's electric energy use data, i.e. electricity consumption and load data for all customer classes and customers located within the County's unincorporated land area and within the jurisdictions of the County, including the City of Martinez. We support this request and authorize the County of Contra Costa to receive and analyze the electrical load data on behalf of the City.

We understand that this data will be used to investigate the feasibility of electrical procurement options through a potential Community Choice Aggregation (CCA) program that could cover all or part of Contra Costa County. We understand that by making this authorization and request, the City of Martinez is not obligated to pursue any alternative electricity procurement through a CCA program in the future.

Kindest regards, ,

Rob Braulik  
City Manager



# Town of Moraga

TOWN MANAGER

November 23, 2015

David Twa, County Administrator  
County of Contra Costa  
651 Pine St., 10th Floor  
Martinez, CA 94553

RE: Support for Electrical Load Data Request to study the feasibility of a Community Choice Energy Program in the County of Contra Costa

Dear Mr. Twa:

On October 14, 2015, the Moraga Town Council discussed a number of options regarding Community Choice Energy (CCE) for the purchase of green energy for Moraga's domestic and commercial customers. The Council discussion included the County's plan to request from PG&E the County of Contra Costa's electric energy use data, i.e. electricity consumption and load data for all customer classes and customers located within the County's unincorporated land area and within the jurisdictions of the County, including the Town of Moraga.

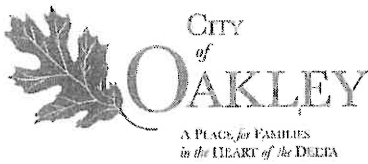
At that meeting the Town Council authorized the County of Contra Costa to receive and analyze the use of the Town's energy bills for analysis in Contra Costa County's feasibility study to evaluate the financial and/or environmental costs, benefits and feasibility of implementing a CCE.

We understand that this data will be used to investigate the feasibility of electrical procurement options through a potential Community Choice Energy (CCE) program that could cover all or part of Contra Costa County. We understand that by making this authorization and request, the Town of Moraga is not obligated to pursue any alternative electricity procurement through a CCE program in the future.

Sincerely,

Jill Keimach  
Town Manager

cc: Marty McInturf, Town Clerk  
Ellen Clark, Town Planning Director



3231 Main Street  
Oakley, CA 94561  
925 625 7000 tel  
925 625 9859 fax  
www.ci.oakley.ca.us

**MAYOR**  
Doug Hardcastle

**VICE MAYOR**  
Kevin Romick

**COUNCILMEMBERS**  
Randy Pope  
Sue Higgins  
Vanessa Perry

December 1, 2015

David Twa, County Administrator  
County of Contra Costa  
651 Pine St., 10<sup>th</sup> Floor  
Martinez, CA 94553

**Subject: Support for Electrical Load Data Request to study the feasibility of a  
Community Choice Aggregation Program in the County of Contra Costa**

David:

We have reviewed your letter in which you explain the County's plan to request from PG&E the County of Contra Costa's electric energy use data, i.e. electricity consumption and load data for all customer classes and customers located within the County's unincorporated land area and within the jurisdictions of the County, including Oakley. We support this request and authorize the County of Contra Costa to receive and analyze the electrical load data on behalf of the City.

We understand that this data will be used to investigate the feasibility of electrical procurement options through a potential Community Choice Aggregation (CCA) program that could cover all or part of Contra Costa County. We understand that by making this authorization and request, the City of Oakley is not obligated to pursue any alternative electricity procurement through a CCA program in the future.

Sincerely,

Bryan H. Montgomery  
City Manager



22 orinda way • orinda • california • 94563

---

January 22, 2016

David Twa, County Administrator  
County of Contra Costa  
651 Pine Street, 10<sup>th</sup> Floor  
Martinez, CA 94553


Subject: Support for Electrical Load Data Request

Dear Mr. Twa:

We have reviewed your letter in which you explain the County's plan to request from PG&E the County of Contra Costa's electric energy use data, i.e. electricity consumption and load data for all customer classes and customers located within the County's unincorporated land area and within the jurisdictions of the County, including the City of Orinda. At its meeting on January 19, 2016, the Orinda City Council discussed this request and authorized the County of Contra Costa to receive the electrical load data for the City of Orinda.

We understand that this data will be used by the County to investigate the feasibility of electrical procurement options through a potential Community Choice Aggregation (CCA) program that could cover all or part of Contra Costa County. The City of Orinda has not yet determined whether it will investigate CCA further, and would need additional information from the County before making such a determination. I understand that by giving the County this data authorization, the City of Orinda is not obligated to investigate or pursue a CCA program in the future. Likewise, at this time, the City of Orinda is not offering or committing any funds towards the cost of the CCA feasibility study proposed by the County. Again, the City of Orinda would need additional information from the County before taking such a step.

Sincerely,



Janet Keeter  
City Manager

cc: Mayor and Council  
Jason Crapo, County Department of Conservation and Development.



# CITY OF PINOLE

Office of the City Manager  
2131 Pear Street  
Pinole, CA 94564

Phone: (510) 724-9000  
FAX: (510) 724-9826  
[www.ci.pinole.ca.us](http://www.ci.pinole.ca.us)

January 25, 2016

David Twa, County Administrator  
Contra Costa County  
County Administration Building  
651 Pine Street, 10<sup>th</sup> Floor  
Martinez, CA 94553-1229

**RE: Request for Authorization to Obtain Pinole Electric Load Data for  
Community Choice Aggregation Study**

Dear Mr. Twa,

In response to your letter dated November 13, 2015, the Pinole City Council authorized the release of our PG&E Electric Load Data to Contra Costa County for the purposes of a possible Community Choice Aggregation Program Study. Please allow this letter to serve as such authorization. We understand that this authorization in no way binds the City to participate in the Study, or provide any alternate electricity procurement.

With regard to a financial contribution toward a study, we prefer to wait and see exactly what Pinole's share would be before making any commitment.

Please also be aware that the majority of the Council directed staff to also submit a non-binding Letter of Intent to Marin Clean Energy, so as to further investigate the possibility of joining their established CCA program.

Thank you for taking the lead agency role in this project. We look forward to working with you and your staff as this project develops. As always, please feel encouraged to contact me should you need anything further at this time.

Sincerely,

  
Michelle Fitzer  
City Manager





## City of Pittsburg

65 Civic Avenue • Pittsburg, California 94565

January 25, 2016

David Twa, County Administrator  
County of Contra Costa  
651 Pine St., 10<sup>th</sup> Floor  
Martinez, CA 94553

Subject: Support for Electrical Load Data Request to study the feasibility of a Community Choice Aggregation Program in the County of Contra Costa

Dear Mr. Twa:

We have reviewed your letter in which you explain the County's plan to request from PG&E the County of Contra Costa's electric energy use data, i.e. electricity consumption and load data for all customer classes and customers located within the County's unincorporated land area and within the jurisdictions of the County, including the City of Pittsburg. We support this request and authorize the County of Contra Costa to receive and analyze the electrical load data on behalf of the City.

We understand that this data will be used to investigate the feasibility of electrical procurement options through a potential Community Choice Aggregation (CCA) program that could cover all or part of Contra Costa County. The City is willing to consider committing some financial resources toward the Financial Study once the scope and tasks are detailed. We also understand that by making this authorization and request, the City of Pittsburg is not obligated to pursue any alternative electricity procurement through a CCA program in the future.

If you have any further questions, please feel free to contact me or Garrett Evans.

Sincerely,

Joseph Sbranti  
City Manager

Cc: Garrett Evans, Assistant City Manager  
Laura Wright, Administrative Officer  
Peter Guadagni, General Manager, Island Energy

RESOLUTION NO. 76-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANT HILL  
AUTHORIZING THE COUNTY TO COLLECT ELECTRICAL USAGE DATA ON BEHALF  
OF THE CITY AND AUTHORIZING THE CITY TO CONTRIBUTE FUNDING FOR A  
COMMUNITY CHOICE AGGREGATION TECHNICAL STUDY

WHEREAS, the City of Pleasant Hill has demonstrated its commitment to an environmentally sustainable future through its policy goals and actions; and

WHEREAS, the County of Contra Costa and the City Council of Pleasant Hill have identified Community Choice Aggregation as a potential strategy to meet local clean energy goals and projected greenhouse gas reduction targets; and

WHEREAS, Community Choice Aggregation is a mechanism by which local governments assume responsibility for providing electrical power for residential and commercial customers in their jurisdiction in partnership with Pacific Gas & Electric Company; and

WHEREAS, Community Choice Aggregation, if determined to be technically and financially feasible, could provide environmental and economic benefits to all residents and businesses in Pleasant Hill; and

WHEREAS, in addition to technical and financial feasibility, it is important to determine whether there is adequate public support for Community Choice Aggregation; and

WHEREAS, determining technical feasibility and public support requires the analysis of energy load data from Pacific Gas & Electric Company and a focused stakeholder education and outreach effort; and

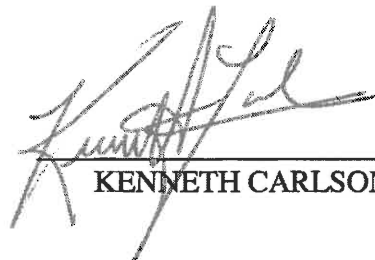
WHEREAS, adoption of this resolution in no way binds or otherwise obligates the City of Pleasant Hill to participate in Community Choice Aggregation, unless it so chooses by passage of a City ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Pleasant Hill that the City indicates its interest in participating in the pre-development and feasibility phase of Community Choice Aggregation in partnership with Contra Costa County; the City Manager is authorized to execute the appropriate documents to allow the County and/or its technical consultants to request energy usage/load data from Pacific Gas & Electric Company so that it may be analyzed as part of a countywide CCA technical study; and the City Manager may expend up to \$15,000 of City funds as the City's proportionate share of the cost of the countywide CCA technical study.

*[Signatures on Following Page]*

ADOPTED by the City Council of the City of Pleasant Hill at a regular meeting of the Council held on the 7<sup>th</sup> day of December, 2015, by the following vote:

AYES:	Durant, Harris, Flaherty, Noack, Carlson
NOES:	None
ABSENT:	None
ABSTAIN:	None



KENNETH CARLSON, Mayor

ATTEST:



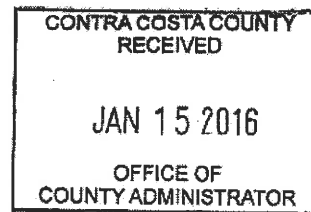
Deputy

City Clerk

APPROVED AS TO FORM;



JANET E. COLESON, City Attorney



## CITY OF SAN RAMON

2226 CAMINO RAMON  
SAN RAMON, CALIFORNIA 94583  
PHONE: (925) 973-2500  
www.sanramon.ca.gov

January 13, 2016

David Twa, County Administrator  
County of Contra Costa  
651 Pine St., 10<sup>th</sup> Floor  
Martinez, CA 94553

Subject: Support for Electrical Load Data Request to Study the Feasibility of a Community Choice Aggregation Program in the County of Contra Costa

Dear Mr. Twa:

Thank you for your letter. We have reviewed your summary and explanation of the County's plan to request from PG&E the County of Contra Costa's electric energy use data, i.e. electricity consumption and load data for all customer classes and customers located within the County's unincorporated land area and within the jurisdictions of the County, including the City of San Ramon. We support this request and authorize the County of Contra Costa to receive and analyze the electrical load data on behalf of the City.

We understand that this data will be used to investigate the feasibility of electrical procurement options through a potential Community Choice Aggregation (CCA) program that could cover all or part of Contra Costa County. We would also recommend that the Study consider program options that work across County lines to provide flexibility and cost effectiveness. Although the City may be interested in participating in some future study, we are not ready to commit to any funding without knowing what the full scope of the study would be, including what agencies are participating, and if Alameda County is also participating in a combined effort.

Attached is a copy of the City Council Resolution in support of the CCA technical feasibility study and authorizing the release of San Ramon electrical load data from PG&E. We understand that by making this authorization and request, the City of San Ramon is not obligated to pursue any alternative electricity procurement through a CCA program in the future.

Sincerely,

Greg Rogers, City Manager

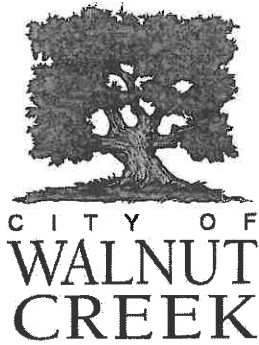
Cc: File

CITY COUNCIL: 973-2530  
CITY MANAGER: 973-2530  
CITY ATTORNEY: 973-2549

CITY CLERK: 973-2539  
ADMINISTRATIVE SERVICES: 973-2500  
PLANNING/COMMUNITY DEVELOPMENT: 973-2560

ENGINEERING SERVICES: 973-2670  
POLICE SERVICES: 973-2700  
PUBLIC SERVICES: 973-2800

PARKS & COMMUNITY SERVICES: 973-3200  
ECONOMIC DEVELOPMENT: 973-2554



December 16, 2015

David Twa, County Administrator  
County of Contra Costa  
651 Pine St., 10<sup>th</sup> Floor  
Martinez, CA 94553

Subject: Support for Electrical Load Data Request to study the feasibility of a Community Choice Energy Program in the County of Contra Costa

Dear Mr. Twa:

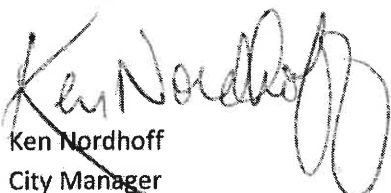
We have reviewed your letter in which you explain the County's plan to request from PG&E the County of Contra Costa's electric energy use data, i.e. electricity consumption and load data for all customer classes and customers located within the County's unincorporated land area and within the jurisdictions of the County, including the City of Walnut Creek. We support this request and authorize the County of Contra Costa to receive and analyze the electrical load data on behalf of the City.

We understand that this data will be used to investigate the feasibility of electrical procurement options through a potential Community Choice Energy (CCE) program that could cover all or part of Contra Costa County. We understand that by making this authorization and request, the City of Walnut Creek is not obligated to pursue any alternative electricity procurement through a CCE program in the future.

Additionally, the City of Walnut Creek is willing to discuss contributing to the costs of such a technical feasibility study, to be shared across interested jurisdictions.

If the County decides to continue to work towards creation of a CCE, the City Council recommends that the County establish a steering committee of one council member from each city expressing interest in a CCE (and including one member of the Board of Supervisors) and that the County work towards creating the Joint Powers Authority (JPA). At the County's December 10, 2015 workshop on CCE, a representative from Alameda County expressed the view that it is better to create the JPA earlier in the process, even if the ultimate decision is not to create the CCE.

Sincerely,

  
Ken Nordhoff  
City Manager

**Residential**

Business

Outages ▼

Safety ▼

In Your Community ▼

My Account

Customer Service ▼

Rates ▼

Save Energy &amp; Money ▼

My Rate Plan

Usage &amp; Tools Overview

Home Money Saver

Solar and Renewables

Solar Choice Rate Plans

Assistance Programs

Plug In Electric Vehicles

Compressed Natural Gas

Energy Savings Tips

Other Resources

Clean Energy CA

## 100% Solar Energy is One Click Away

Space is limited so sign-up for PG&amp;E's Solar Choice program today!

[Enroll Now](#)

With PG&E's Solar Choice and Regional Solar Choice programs, you have the option to purchase up to 100% of your electricity from solar power, without needing to install solar panels. These programs are a choice if you want to lower your environmental footprint and promote renewable power generation.

**Solar Choice Plans for My Home**

Find out which program is best for you—PG&E's Solar Choice or Regional Solar Choice.

**Frequently Asked Questions**

Do you have questions about PG&E's Solar Choice or Regional Solar Choice? Learn more as we answer frequently asked questions.

**How It Works**

Find out how you can lower your carbon footprint and support clean energy goals even if your home can't support rooftop solar.

**Solar Choice Energy Sources**

Find out where your solar energy is coming from when you enroll in PG&E's Solar Choice or Regional Solar Choice.

**Rate Calculator and Information**

Calculate your monthly premium for enrollment in PG&E's Solar Choice program, and see current and historical rate information for both programs.

**Solar Choice Plans for My Business**

Find out how you can enroll your business in PG&E's Solar Choice or Regional Solar Choice.

**Solar Developers**

Are you a solar developer and interested in participating in PG&E's Solar Choice or Regional Solar Choice programs?  
[PG&E's Solar Choice »](#)  
[Regional Solar Choice »](#)

**Enroll in PG&E's Solar Choice**

Help preserve and protect our environment through the growth of new solar energy in California.

To enroll, call **877-743-8429** or  
[Enroll Online »](#)

**Green-e Energy Certification**

PG&E's Solar Choice program is Green-e Energy certified and meets the environmental and consumer-protection standards set forth by the nonprofit Center for Resource Solutions.



Learn more at [www.green-e.org](http://www.green-e.org).

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[Report & View Electric Outages](#)  
[Start or Stop Service](#)  
[Get Payment Assistance](#)  
[Make Payment Arrangements](#)  
[Report an Emergency](#)

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[How the System Works](#)  
[Social Media](#)

**Careers**

[Working at PG&E](#)  
[Careers Areas](#)  
[University Programs](#)  
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**Business to Business**

[Energy Supply](#)  
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[Company Info](#)  
[Newsroom](#)  
[Regulation](#)  
[Investors](#)  
[More...](#)

**Solar Energy & Renewables**

[Clean Energy CA](#)  
[Solar & Renewables with PG&E](#)  
[Electric Vehicles](#)  
[Solar Water Heating](#)



Residential

Business

Outages ▼

Safety ▼

In Your Community ▼

My Account

Customer Service ▼

Rates ▼

Save Energy & Money ▼

My Rate Plan

Usage & Tools Overview

Home Money Saver

Solar and Renewables

Solar Choice Rate Plans

Assistance Programs

Plug In Electric Vehicles

Compressed Natural Gas

Energy Savings Tips

Other Resources

Clean Energy CA



## SOLAR CHOICE PROGRAMS FOR YOUR HOME

### Frequently Asked Questions

	PG&E's Solar Choice	Regional Solar Choice
Who is eligible to participate?	If you purchase your electricity from PG&E, you are eligible to participate. The only exceptions are if you take service on Transitional Bundled Service, Schedule S, in conjunction with a net metering schedule or non-metered service. To determine if you are on Transitional Bundled Service, Schedule S, see your energy statement or visit <a href="#">My Account</a> .	
Could the programs sell out?	Yes. The programs will remain open for enrollment until subscriptions reach 272 MW for PG&E's Solar Choice and Regional Solar Choice programs or until January 1, 2019, whichever comes first.	
May I remain in the program after enrollment has closed?	Yes. Your participation in Solar Choice will not be affected if the enrollment window closes to new enrollees.	
Will the electricity be supplied directly to my home?	By enrolling in either Solar Choice program, you are purchasing solar energy for your home. While we can't deliver "green" electrons to a specific home, PG&E will purchase the equivalent amount of solar energy that you use monthly on your behalf.	
How can I purchase 100% solar electricity when it is cloudy or at night?	Solar electricity you purchase through the Solar Choice programs will be delivered to the grid, allowing you to receive reliable electricity day and night, while contributing to renewables growth at your participation level (50% or 100% for PG&E's Solar Choice or between the equivalent of 25% and 100% of your usage for Regional Solar Choice).	
Isn't PG&E already mandated to procure renewables?	We are aggressively adding more renewable energy to our power mix under California's Renewable Portfolio Standards (RPS) and are well on our way toward 33% renewables by the end of 2020 and 50% renewables by the end of 2030. The Solar Choice plans are separate from and incremental to the RPS. However, there are some ways in which this program and the RPS portfolio interact.	
	First, when customers enroll in PG&E's Solar Choice program, the power needed to satisfy their energy requirements will initially be supplied from solar projects within our existing renewables portfolio, but not counted toward RPS requirements. These projects will be similar to those under the PG&E's Solar Choice program and will serve customers until program- specific solar projects are available to meet their energy needs. Second, if customers leave the Solar Choice program after PG&E has procured renewable energy from new projects on their behalf, any surplus resources will instead be counted toward the RPS and provided to all customers, including our regular bundled customers not enrolled in PG&E's Solar Choice program.	The renewable energy associated with any portion of a Regional Solar Choice project that is not subscribed by customers will be counted toward the RPS and provided to all customers, including to our regular bundled customers not enrolled in Regional Solar Choice.
Is there a long-term commitment?	You may leave PG&E's Solar Choice program at any time, but you will not be eligible to re-enroll for one year. Certain customers who are defaulted on to Community Choice Aggregation service may be exempt from this requirement.	For Regional Solar Choice, you are free to design your own Customer-Developer Agreement and terms with a Regional Solar Choice Developer.
Can I stay on the programs if I move?	Yes. If you move within PG&E's service territory you may still retain your participation in either program.	
Will I receive materials to communicate my program participation?	Yes. PG&E will provide you with marketing materials to help communicate your participation in the program.	

	PG&E's Solar Choice	Regional Solar Choice
How does this compare to rooftop solar?	For many customers, rooftop solar is a good option. However, almost half of residential and commercial rooftops are unsuitable for solar because of structural, shading, or ownership issues. These programs provide residential and business customers a convenient way to participate in solar without installing or maintaining solar panels.	
Can I start purchasing solar immediately?	PG&E's Solar Choice program provides solar energy to participating customers upon sign up. Initially solar energy purchased will be sourced from existing solar resources while new projects are built specifically for the program.	The Regional Solar Choice projects are estimated to begin delivering energy in late 2017 or 2018, at which time customers will begin receiving program credits on their monthly energy statement.
Can I sell the electricity I am generating from a solar project back to PG&E?	If you are in a position to develop a new project sized between 0.5MW and 20 MW that can provide solar electricity at a competitive price, then you may be eligible to participate as a supplier under this program. <a href="#">PG&amp;E's Solar Choice »</a> <a href="#">Regional Solar Choice »</a>	

### Solar Developers

Are you a solar developer and interested in participating in PG&E's Solar Choice or Regional Solar Choice programs?  
[PG&E's Solar Choice »](#)  
[Regional Solar Choice »](#)

### Enroll in PG&E's Solar Choice

Help preserve and protect our environment through the growth of new solar energy in California.  
  
To enroll, call **877-743-8429** or  
[Enroll Online »](#)

### Green-e Energy Certification

PG&E's Solar Choice program is Green-e Energy certified and meets the environmental and consumer- protection standards set forth by the nonprofit Center for Resource Solutions.



Learn more at [www.green-e.org](http://www.green-e.org).

### Quick Links

[Pay Your Bill](#)  
[Report & View Electric Outages](#)  
[Start or Stop Service](#)  
[Get Payment Assistance](#)  
[Make Payment Arrangements](#)  
[Report an Emergency](#)

### Customers

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## **Community Choice Energy Estimated Schedule and Budget\***

**\*Note: Time and cost estimates for Phases 2 and 3 are based forming a Contra Costa JPA and are subject to change if another CCE option is selected for implementation**

### **Phase 1 – Technical Study**

**Schedule Summary: 10 months (time remaining to completion)**

**Budget Summary: \$300,000**

Schedule Detail: 10 months to completion

- Outreach to Cities (November '15 – January '16)
- PG&E Data Request (March – to May '16)
- Convene Cities and Scope Tech Study (March – May '16)
- Develop Web Site, Increase Stakeholder Engagement (March – ongoing)
- Tech Study RFP and Consultant Selection (June – August '16)
- Complete Tech Study (September – October '16)
- Report Findings and Receive Direction (November – December '16)

Budget Detail:

- LEAN Energy: \$75,000
- Technical Study: \$50,000 (County Share of \$150,000 estimated total cost)
- County Staff: \$175,000

### **Phase 2 – JPA Formation or Inclusion**

**Schedule Summary: 8 – 12 months**

**Budget Summary: \$750,000 – \$1 million**

Schedule Detail:

- If joining MCE, costs and schedule to be negotiated with MCE, but costs expected to be considerably lower and schedule to program launch shorter than with other options.
- If creating new JPA with Alameda County, costs will be negotiated and shared. Schedule unknown.
- If creating a new Contra Costa JPA, tasks will include the following:
  - JPA legal documents and Approvals
  - Finalize Program Design
  - Adopt Local Ordinances
  - Submit Implementation Plan to CPUC

- Initiate bidding for electricity procurement
- Secure source of operating capital/credit
- Community Outreach and Engagement

**Budget Detail:**

- Phase 2 costs will depend heavily on the CCE option selected from Technical Study, but if the option of creating a Contra Costa JPA is selected, costs for Phase 2 would likely be \$750,000 or greater. These costs would include consulting services for assistance with regulatory compliance, energy procurement and community outreach activities, plus County staff time in DCD and County Counsel.

**Phase 3 – Program Launch**

**Schedule Summary: 8 – 12 months**

**Budget Summary: \$500,000 – \$1 million**

**Schedule Detail:**

- Schedule for program launch will depend on CCE option selected from Technical Study
- A new Contra Costa JPA will require the most time and expense
- Phase 3 tasks associated with a new Contra Costa JPA would include:
  - Hire JPA staff and securing office space
  - Energy Procurement
  - Comply with CPUC Regulatory Requirements
  - Increase marketing and public engagement,
  - Secure working capital/credit

**Budget Detail:**

- Phase 3 costs are difficult to estimate but could be in the range of \$500,000 to \$1 million if a new Contra Costa JPA is formed. Such costs would include JPA staffing and facilities, and consulting services for assistance with regulatory compliance, energy procurement and marketing activities. Funding during this phase could come from sponsoring jurisdictions, or from third-party sources, such as banks and other financial institutions. Following JPA formation, a transition would occur whereby the new agency would become responsible for program costs.

# Community Choice Energy (CCE) In Contra Costa County

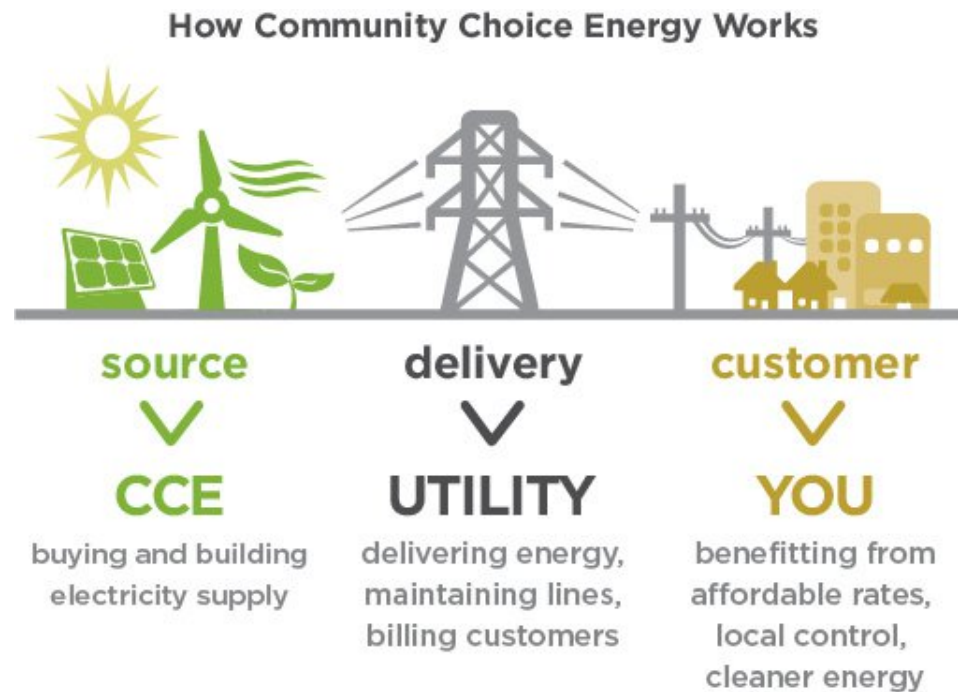
Internal Operations Committee of the Board of Supervisors  
February 29, 2016





# What is Community Choice Energy?

**CCE** enables local governments to procure and/or develop power on behalf of their public facilities, residents and businesses. It creates a functional partnership between municipalities and existing utilities. It has proven to increase renewable energy and lower greenhouse gases while providing competitive electricity rates.



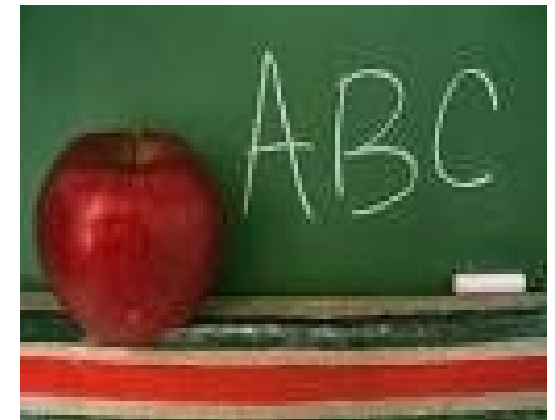


# Basic Program Mechanics

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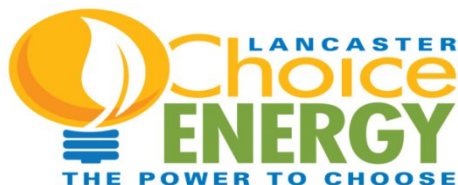


1. Form or join a Joint Powers Agency: Local governments participate by passing an ordinance and entering into a JPA Agreement
2. Utility (PG&E) continues to provide consolidated billing, customer service, grid and line maintenance.
3. PG&E programs for low income/CARE customers remain the same
4. CCE electric generation charges (including exit fee) appear as new line items on the customer bill; all other charges remain the same
5. CPUC certifies CCE Plan; oversees utility/ CCE service agreement and other requirements.





## 3 Programs in California... so far



Launch Year	Avg. Customer Rate Savings	Power Options (current)
2010	2-5% below PG&E	56% Renewable 100% Renewable 100% Local Solar
2014	6-14% below PG&E	36% Renewable 100% Renewable
2015	3-4% below SCE	35% Renewable 100% Renewable

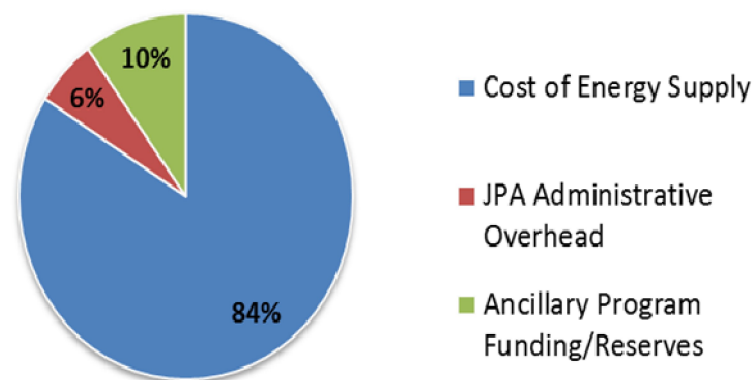


# CCE Financial Performance

MCE and SCP are fiscally sound

	MCE (FY15-16)	SCP (FY15-16)
Total Projected Revenue	\$145,933,000	\$165,495,000
Expenses	\$141,433,000	\$148,588,000
Cost of Energy	\$129,522,000	\$130,100,000
Cost of Administration	7%	4.5%
Projected Net Increase in Reserves	\$4,500,000	\$16,907,000

Typical CCA Revenue Allocation

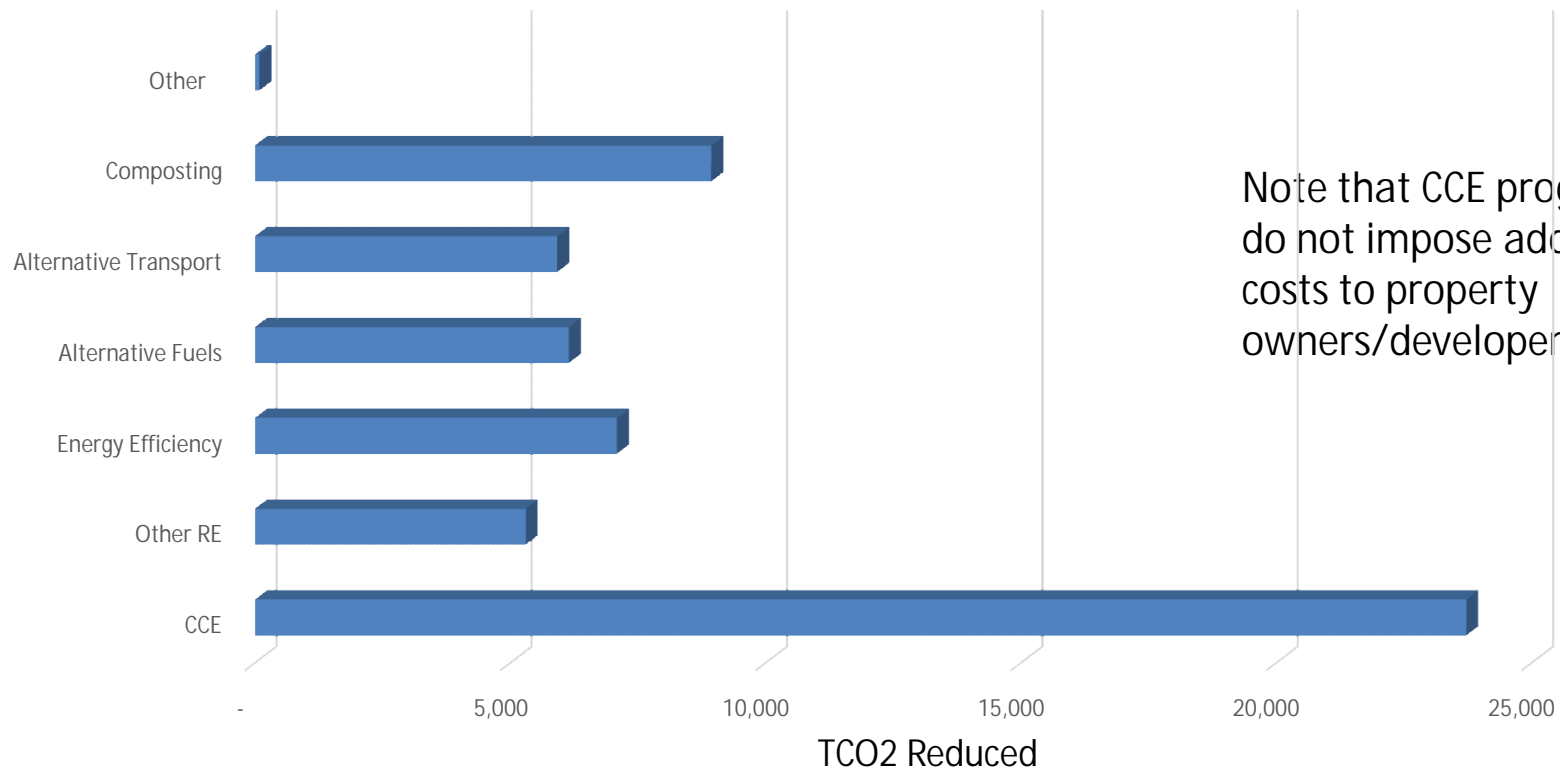


# CCE & Local Climate Action Plans

Excerpt from City of San Mateo Climate Action Plan

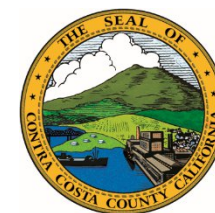


## CAP Program Options



Note that CCE programs do not impose additional costs to property owners/developers





# Renewable Energy Product Options

Provider	Program	Power Options	Average Premium for Residential Customers	<u>Added</u> charge on monthly bill (assume 500 kwh/month)
PG&E	Default Solar Choice	27% Renewable	No premium	None
		50% Solar	3.58 cents/kWh	\$8.96/month (assume 250 kWh from solar)
		100% Solar	3.58 cents/kWh	\$17.91/month (assume all 500 kWh from solar)
Marin Clean Energy	Light Green	56% Renewable	No premium	None
	Deep Green	100% Renewable	1 cent/kWh	\$5.00/month
	Local Sol*	100% Local Solar	6 cents/kWh	\$30.00/month
Sonoma Clean Power	CleanStart	36% Renewable	No premium	None
	EverGreen**	100% Renewable	3.5 cents/kWh	\$18.00/month

\* 100% from local solar project in Novato

\*\* 100% sourced from the Geysers geothermal facility in Sonoma County



# What are the Risks...

And how are they mitigated?



**Rate Competition/Market Fluctuation:** Rates will vary with market conditions. Power market expertise and well crafted power RFPs are essential; Diversified supply portfolio and "value add" programs.



**Customer Opt-Out:** Competitive rates are a must; Articulate additional consumer and community benefits.



**Political:** Align CCA to local policy objectives; Appeal to both progressive and conservative minds by making the environmental AND business case.



**Regulatory/Legislative:** PUC decisions may adversely affect CCA; also example of AB 2145; Participate in the regulatory and legislative process.





## In Summary: Potential CCE Advantages

- CCE is responsive to local environmental and economic goals
- Offers consumers a choice where none currently exists
- Revenue supported, not taxpayer subsidized
- Stable, often cheaper, electricity rates
- Allows for rapid switch to cleaner power supply and significant GHG reductions; achievement of local CAP goals
- Provides a funding source for energy efficiency and other energy programs like energy storage and EV charging stations



# Outreach Activities Since Last BOS Meeting

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- County staff sent letters to all 16 eligible cities (Richmond, San Pablo and El Cerrito are already members of MCE) to authorize load data collection and assess interest in a technical study.
- Announced regional workshops at Dec. 3 Mayors Conference
- Three Regional Workshops
  - a) Walnut Creek (Dec. 10)
  - b) Hercules (Dec. 14)
  - c) Brentwood (Dec. 16)
- Presentations to City Councils: Concord, Clayton, Pinole, Lafayette and Brentwood



# City Responses



City	Load Data Authorization	Cost Sharing for Tech Study
Antioch	Yes	No indication
Brentwood	Yes	Yes, not to exceed \$30,000
Clayton	Yes	Yes, pending more details
Concord	Yes	Yes, not to exceed \$25,000
Danville	Yes	Yes, not to exceed \$18,000
Hercules	Yes	No indication
Lafayette	Yes	No indication
Martinez	Yes	No indication
Moraga	Yes	No indication
Oakley	Yes	No indication
Orinda	Yes	Need more information
Pinole	Yes	Need more information
Pittsburg	Yes	Yes, pending more details
Pleasant Hill	Yes	Yes, not to exceed \$15,000
San Ramon	Yes	Maybe, pending more details
Walnut Creek	Yes	Yes, not to exceed \$20,000





# Where do we go from here?

- Given city interest in a potential CCE program in Contra Costa, staff recommends the Board direct DCD to undertake a technical study of CCE in Contra Costa County.
- County's contribution to the technical study likely to be in the \$25,000-\$50,000 range. Total cost of study est. \$75,000-\$150,000.
- First Next Step: Obtain PG&E Load Data
- Work with cities to fund and initiate the tech study, examining three options:
  - Stand-alone CCE
  - Join MCE
  - Partner with Alameda County on joint CCE program





# What could go into a technical study?

- Evaluate total load requirements for a CCE (MWH and MW peak demand)
- Look at different resource scenarios (50% renewable, 100% renewable option, etc.)
- Ability to be competitive in current market environment (including PG&E's new Solar Choice option)
- Assessment of risks
- Discussion/modeling of local renewable project development (and associated economic benefits)
- Useful to keep in mind that other counties have undertaken such studies, and similar issues apply.





# Community Outreach

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- Community Outreach has two objectives:
  - Inform the public about CCE
  - Gather public input to assist decision-makers evaluate tech study
- Community Outreach activities would include:
  - Public workshops
  - Focused stakeholder engagement
  - Web-based educational materials
  - Presentations at Mayors Conference, City Council meetings, and/or other venues





# Summary of Recommendations/Fiscal Impacts



- Take steps to obtain PG&E Load Data
- Work with Cities to fund and initiate technical study
- Estimated Fiscal Impact: \$300,000
  - \$75,000 for consulting services to obtain load data, develop and evaluate technical study, and community outreach activities (LEAN Energy)
  - \$50,000 for County share of costs for technical study
  - \$175,000 for County project management and legal expenses
- The County would seek to recover its costs if a new CCE JPA is formed. Costs will not be reimbursed if the County does not create a new JPA.



# Thank You



## For More Information:

Jason Crapo, Deputy Director  
Department of Conservation and Development  
County of Contra Costa  
[jason.crapo@dcd.cccounty.us](mailto:jason.crapo@dcd.cccounty.us)  
(925) 674-7722

LEAN Energy US  
Shawn Marshall    Seth Baruch (Carbonomics)    Tom Kelly (KyotoUSA)  
[shawnmarshall@leanenergyus.org](mailto:shawnmarshall@leanenergyus.org)  
(415) 888-8007





# Contra Costa County Board of Supervisors

## Subcommittee Report

### INTERNAL OPERATIONS COMMITTEE - SPECIAL

8.

**Meeting Date:** 02/29/2016

**Subject:** REPORT FROM THE AUDITOR-CONTROLLER'S OFFICE ON THE  
SCHEDULE OF FINANCIAL AUDITS FOR 2016

**Submitted For:** Robert Campbell, Auditor-Controller

**Department:** Auditor-Controller

**Referral No.:** IOC 16/2

**Referral Name:** Review of the Annual Audit Schedule

**Presenter:** Elizabeth Verigin, Asst  
Auditor-Controller

**Contact:** Joanne Bohren  
925-646-2233

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### **Referral History:**

The Internal Operations Committee was asked by the Board in 2000 to review the process for establishing the annual schedule of audits, and to establish a mechanism for the Board to have input in the development of the annual audit schedule and request studies of departments, programs or procedures. The IOC recommended a process that was adopted by the Board on June 27, 2000, which called for the IOC to review the schedule of audits proposed by the Auditor-Controller and the County Administrator each December. However, due to the preeminent need during December for the Auditor to complete the Comprehensive Annual Financial Report, the IOC, some years ago, rescheduled consideration of the Auditor's report to February of each year.

### **Referral Update:**

Attached is a report from the Auditor-Controller reviewing the department's audit activities for 2015 and transmitting the proposed schedule of financial audits for 2016, which are already in progress.

Assistant Auditor-Controller Elizabeth Verigin and Chief of Internal Audits Joanne Bohren will present the report.

### **Recommendation(s)/Next Step(s):**

ACCEPT report on the Auditor-Controller's audit activities for 2015 and APPROVE the proposed schedule of financial audits for 2016.

### **Fiscal Impact (if any):**

There is no fiscal impact related to providing input into the annual audit schedule. The financial auditing process may result in positive and negative fiscal impacts, depending on the audit findings.

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**Attachments**

2016 Internal Audit Report

2015 Audit Work

Proposed 2016 Audit Schedule

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Office of the Auditor-Controller  
**Contra Costa County**

**Robert R. Campbell**  
Auditor-Controller

625 Court Street  
Martinez, California 94553-1282  
Phone (925) 646-2181  
Fax (925) 646-2649





**Elizabeth A. Verigin**  
Assistant Auditor-Controller

**Harjit S. Nahal**  
Assistant Auditor-Controller

February 16, 2016

TO: Internal Operations Committee

FROM: Robert R. Campbell, Auditor-Controller   
By: Joanne M. Bohren, CPA 

SUBJECT: Internal Audit – Annual Report

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The Board of Supervisors adopted a policy on June 27, 2000, directing the Auditor-Controller to annually report to the Internal Operations Committee on the proposed schedule of Internal Audit examinations for the following calendar year. The attached "*Schedule of Internal Audit Examinations*" provides the proposed schedule for 2016 and the attached "*Schedule of Internal Audit Examinations for 2015*" summarizes the status of the 2015 examinations.

In 2015, the Internal Audit Division completed twenty-three (23) of the twenty-four (24) scheduled examinations. The remaining examination has been rescheduled for 2016. In addition, five (5) unscheduled examinations were performed and completed.

**General Findings:**

**Departmental Examinations**

There is an overall lack of adherence to several of the County's administrative requirements, which results in many of our departmental examination recommendations including the following:

- Comply with the Administrative Bulletins established for the cash collection process, discharge of delinquent accounts, inventories of materials and supplies, petty cash, and clean air vehicle policy;
- Adhere to personnel administrative requirements; and,
- Adhere to the Keller Canyon Mitigation Fund policies and procedures and the Municipal Advisory Handbook.



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Less than ten percent (9.68%) of the 2015 examination findings were repeated findings from previous examinations. This is an improvement from the 2014 examination findings where twenty-five percent (25%) were repeated findings from previous examinations. In order to timely correct issues and mitigate repetitive findings, the Internal Audit division conducts a follow-up with auditees six months after the issuance of the final examination report to determine if the recommendations were implemented. Since that follow-up process occurs mostly in the beginning three (3) months of the calendar year, there is no data currently available on the status of the 2015 findings. For calendar year 2014, fifty-nine percent (59%) of the finding recommendations had been implemented.

### **Procurement Card**

The quarterly procurement card review continues to reflect compliance issues in the use of the card for recurring payments, services, memberships, and meal payments. Per the Procurement Card Manual, Section III.H., the use of a procurement card for recurring payments, such as FastTrack deposits, services, memberships, and meal payments is prohibited. Additionally, the required supporting documentation for payments often is missing or inadequate. The Internal Audit staff believes this is directly related to the discontinuation of the procurement card training program that was previously in existence.

### **2016 Scheduled Examinations**

The Chief Auditor and the Assistant Auditor-Controller performed a thorough review of existing and recurring examinations as well as identifying potential new examinations that should be incorporated in the 2016 schedule. The emphasis and priority in scheduling examinations is based on the perceived risk to the County. The schedule is composed of legally required examinations, such as the Treasury cash counts, reoccurring examinations, and new examinations.

Legally required examinations have their basis in government code. Reoccurring examinations have a preferred cycle attached to them based on their perceived amount of inherent risk. If a concern comes to the attention of the Chief Auditor or the Assistant Auditor-Controller, a reoccurring examination may be planned prior to it being due based on the preferred cycle.

The County's financial operations are subject to audit by a firm of independent external auditors, Macias Gini & O'Connell, LLP, Certified Public Accountants (MGO). The external auditors are responsible for performing an annual audit of the general-purpose financial statements of the County and the Public Financing Authority. The external auditors also perform an annual "Single Audit" of the County's federal financial-assistance programs. Other independent auditors perform annual audits of the County Housing Authority, state grant programs, and the FIRST 5 Contra Costa Children and Families Commission.



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**Other Projects**

In addition to performing departmental examinations, the Internal Audit Division is responsible for preparing the County's Comprehensive Annual Financial Report (CAFR) and providing assistance to other County departments and the County's external auditors. The CAFR process consumes approximately four months of staff time.

One of the reasons the preparation of the CAFR is so time consuming is due to the complexity of the annual implementation of new Governmental Accounting Standards Board (GASB) statements. In 2015, the most significant change was the implementation of GASB Statement No. 68, *Accounting and Financial Reporting for Pensions – an amendment of GASB Statement No. 27*, and GASB Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date-an amendment of GASB Statement No. 68*. The significance of those statements was the inclusion of the County's net pension liability (the total pension liability less plan assets) in the financial statements of the CAFR. The Contra Costa County Employees' Retirement System (CCCERA) accompanied by its auditors and actuary worked with CCCERA members and the County to provide numerical data to aid in the implementation of this statement. The County's proportionate share of the net pension liability at June 30, 2015, was \$924,653,000, which included pension obligation bonds and unfunded actuarial accrued liability (UAAL) prepayments.

Attachments

**Schedule of Internal Audit Examinations for 2015**

	<b>Department Examination Description</b>	<b>Last Done Through</b>	<b>Preferred Cycle (yrs)</b>	<b>Scheduled For 2015</b>	<b>Estimated Hours 2015</b>	<b>Total Examination Hours</b>
<b><u>Completed Examinations - Scheduled</u></b>						
	<b><u>Auditor-Controller</u></b>					
0105	Revolving/Cash Diff. Fund & Shortage Report (fiscal year)	6/15	1 (Law)	X	60	31
0037	Misc A-C duties (ie Petty Cash ICQ; Relief of Shortage; Increase/New Petty Cash; Recons)		1	X	60	-
	<b><u>Treasurer-Tax Collector</u></b>					
0151	Treasury Cash & Investments - 1st qtr	3/15	1/4 (Law)	X	100	135
0151	Treasury Cash & Investments - 2nd qtr	6/15	1/4 (Law)	X	100	126
0151	Treasury Cash & Investments - July 1	7/1/15	1/4 (Law)	X	100	51
0151	Treasury Cash & Investments - 3rd qtr (Auditor recommendation)	9/15	1/4 (Law)	X	100	41
0151	Treasury Cash & Investments - 4th qtr	12/14	1/4 (Law)	X	100	64
0156	Tax redemptions	12/14	3	X	240	513
0172	Treasury Oversight Committee (calendar year)	12/14	1 (Law)	X	180	176
	<b><u>Purchasing</u></b>					
1493	Procurement Card Program - 3rd qtr	9/15	1/4 (CAO)	X	40	46
1493	Procurement Card Program - 4th qtr	12/14	1/4 (CAO)	X	40	46
1493	Procurement Card Program - 1st qtr	3/15	1/4 (CAO)	X	40	46
1493	Procurement Card Program - 2nd qtr	6/15	1/4 (CAO)	X	40	45
	<b><u>Various Departments / Office of Revenue Collections A/R</u></b>					
	Continuation of examination of ORC A/R that was returned to depts ( <i>special</i> )	special-3/15		X	400	261
	<b><u>Clerk-Recorder</u></b>					
3551	General Department	5/15	2	X	475	312
	<b><u>Sheriff-Coroner</u></b>					
3002	Inmate Welfare Fund ( <i>2 yr law repealed</i> )	2/15	2	X	200	132
	<b><u>Conservation and Development (DCD)</u></b>					
3571	Keller Canyon - follow up to 2010 examination	6/15		X	120	169
	<b><u>Health Services</u></b>					
4671	Mental Health Contracts ( <i>special</i> )	special-12/14		X	200	173
5402	Hospital and Clinics (Collections and Petty Cash)	6/15	2	X	200	159
4510	Conservatorships/Guardianships	3/15	2	X	275	282
5401	Year End Inventory Control (Pharmacy)	6/15	3	X	115	114
5401	Year End Inventory Control (General Stores and Materials)	6/15	3	X	115	115
	<b><u>Employment &amp; Human Services</u></b>					
5001	Trust Funds	special-10/14		X	100	152
5005	In Home Supportive Services (IHSS)	3/15	3	X	175	177

**Schedule of Internal Audit Examinations for 2015**

	<b>Department</b>	<b>Last Done</b>	<b>Preferred</b>	<b>Scheduled</b>	<b>Estimated</b>	<b>Total</b>
	<b>Examination Description</b>	<b>Through</b>	<b>Cycle (yrs)</b>	<b>For</b>	<b>Hours</b>	<b>Examination</b>
				<b>2015</b>	<b>2015</b>	<b>Hours</b>
<b><u>Completed Examinations - Unscheduled</u></b>						
	<b><u>Public Works</u></b>					
0633	Fleet Services Division's Compliance with County Clean Vehicle Policy - 2015 IOC Request	special-2/15				328
	<b><u>Treasurer-Tax Collector</u></b>					
0151-A	Review of Tax Collector Cash Collections Internal Controls	special-5/15				31
0151-A	Tax Collector Cash on Hand - July 1 - Treasurer-Tax Collector Request	7/1/15				15
0151-A	Tax Collector Cash on Hand - 3rd qtr - Treasurer-Tax Collector Request	9/15				13
0151-A	Tax Collector Cash on Hand - 4th qtr - Treasurer-Tax Collector Request	12/15				12
<b><u>Postponed Examination - Rescheduled for 2016</u></b>						
	<b><u>Sheriff-Coroner</u></b>					
3003	Custody Alternative Programs	12/04	4	X	350	-

**Schedule of Internal Audit Examinations  
Calendar Year 2016**

	<b>Department Project Description</b>	<b>Last Done Through</b>	<b>Prefd. Audit Cycle (yrs)</b>	<b>Scheduled For 2016</b>	<b>Estimated Hours 2016</b>
	<b><u>Board of Supervisors</u></b>				
1101	District 1 General Department Audit (Including MACs)	1/07	4	X	100
1103	District 3 General Department Audit (Including MACs)	4/06	4	X	100
1105	District 5 General Department Audit (Including MACs)	1/07	4	X	100
	<b><u>Auditor-Controller</u></b>				
0105	Revolving/Cash Diff. Fund & Shortage Report (fiscal year)	6/15	1 (Law)	X	60
0037	Misc A-C duties (ie Petty Cash ICQ;Relief of Shortage;Increase/New Petty Cash; Recons)		1	X	60
	<b><u>Treasurer-Tax Collector</u></b>				
0151	Treasury Cash & Investments - 1st qtr (3/31/16)	03/15	1/4 (Law)	X	100
0151	Treasury Cash & Investments - 2nd qtr (6/30/16)	06/15	1/4 (Law)	X	100
0151	Treasury Cash & Investments - July 1	7/1/15	1/4 (Law)	X	100
0151	Treasury Cash & Investments - 3rd qtr (9/30/16) (Auditor recommendation)	09/15	1/4 (Law)	X	100
0151	Treasury Cash & Investments - 4th qtr (12/31/15)	12/14	1/4 (Law)	X	100
0151-A	Tax Collector Cash on Hand - 1st qtr (3/31/16)	NEW	1/4 (TTC)	X	20
0151-A	Tax Collector Cash on Hand - 2nd qtr (6/30/16)	NEW	1/4 (TTC)	X	20
0151-A	Tax Collector Cash on Hand - July 1	7/1/15	1/4 (TTC)	X	20
0151-A	Tax Collector Cash on Hand - 3rd qtr (9/30/16)	9/15	1/4 (TTC)	X	20
0151-A	Tax Collector Cash on Hand - 4th qtr (12/31/16)	12/15	1/4 (TTC)	X	20
0172	Treasury Oversight Committee (calendar year)	12/14	1 (Law)	X	180
	<b><u>Purchasing</u></b>				
1493	Procurement Card Program - 1st qtr (3/31/16)	3/15	1/4 (CAO)	X	40
1493	Procurement Card Program - 2nd qtr (6/30/16)	6/15	1/4 (CAO)	X	40
1493	Procurement Card Program - 3rd qtr (9/30/16)	9/15	1/4 (CAO)	X	40
1493	Procurement Card Program - 4th qtr (12/31/15)	12/14	1/4 (CAO)	X	40
	<b><u>Sheriff-Coroner</u></b>				
2551	Escrow Fund (aka Sheriff's Civil)	12/10	2	X	350
3003	Custody Alternative Programs	12/04	4	X	350
2555	Sheriff Training Center	12/07	2	X	230
	<b><u>Probation</u></b>				
3081	General Departmental Audit	12/13	2(Law)	X	240

**Schedule of Internal Audit Examinations  
Calendar Year 2016**

	<b>Department</b>	<b>Last Done Through</b>	<b>Prefd. Audit Cycle (yrs)</b>	<b>Scheduled For 2016</b>	<b>Estimated Hours 2016</b>
	<b>Project Description</b>				
	<b><u>Health Services</u></b>				
3641	Public Administrator	3/10	2	X	130
4521	Environmental Health-Hazardous Materials Div	3/10	2	X	300
5401	Year End Inventory Control (OR Supplies and Implants)	NEW	3	X	180
	<b><u>Employment &amp; Human Services</u></b>				
5001	Administration - Including Form 1099/W-9 Handling, Adm Personnel Req, proc cards, fixed assets, petty cash, expenditures/contracts	NEW		X	300
	<b><u>Community Services (EHSD)</u></b>				
5882	Weatherization Projects Inventory	6/07	3	X	180
	<b><u>Public Works</u></b>				
0634	Voyager Cards	NEW	3	X	160
	GASB Implementation (40 X 2)				80
	Single Audit assistance/wrap up				80
					3,940



# Contra Costa County Board of Supervisors

## Subcommittee Report

### INTERNAL OPERATIONS COMMITTEE - SPECIAL

9.

**Meeting Date:** 02/29/2016  
**Subject:** 2016 WORK PLAN  
**Submitted For:** David Twa, County Administrator  
**Department:** County Administrator  
**Referral No.:** N/A  
**Referral Name:** N/A  
**Presenter:** Julie DiMaggio Enea, IOC Staff    **Contact:** Julie DiMaggio Enea  
925.335.1077

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#### **Referral History:**

The Board of Supervisors made the following referrals to the 2016 Internal Operations Committee, which are summarized in **Attachment B:**

#### **Standing Referrals**

1. Continued policy oversight and quarterly monitoring of the Small Business Enterprise and Outreach programs, and e-Outreach
2. Review of the annual financial audit schedule
3. Review of annual Master Vehicle Replacement List and disposition of low-mileage vehicles
4. Local Bid Preference Program
5. Advisory Body Candidate Screening/Interview
6. Fish and Wildlife Propagation Fund Allocation
7. Advisory Body Triennial Review

#### **Non-Standing Referrals**

8. Waste Hauler Ordinance
9. Social Media Policy
10. Animal Benefit Fund Review
11. Community Choice Energy Aggregation

The Committee members have selected the fourth Monday of each month at 11:00 a.m. as the standing meeting date/time for 2016.

#### **Referral Update:**



Attached for the Committee's review is the proposed meeting schedule, developed in consultation with your schedulers, and the proposed work plan for hearing each of the 2016 referrals **(Attachment A)**.

**Recommendation(s)/Next Step(s):**

APPROVE the proposed 2016 Committee meeting schedule and work plan, or provide direction to staff regarding any changes thereto.

**Fiscal Impact (if any):**

None.

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**Attachments**

ATTACHMENT A: PROPOSED 2016 COMMITTEE MEETING AND DISCUSSION SCHEDULE

ATTACHMENT B: SUMMARY OF 2016 IOC REFERRALS

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## ATTACHMENT “A”

### 2016 Internal Operations Committee Discussion Schedule 4th Monday at 11 a.m. As of February 23, 2016

Meeting Date	Subject	Staff Contacts
February 29* Special	<ul style="list-style-type: none"> <li>◆ IOC Schedule and Work Plan for 2016</li> <li>◆ Internal Audit Work Plan for 2016</li> <li>◆ AB Recruitment Schedule</li> <li>◆ Waste Hauler Ordinance</li> <li>◆ Community Choice Energy</li> <li>◆ IPM Interviews</li> <li>◆ HazMat Nominations</li> </ul>	Julie Enea Elizabeth Verigin/Joanne Bohren Julie Enea Marilyn Underwood/Joe Doser Jason Crapo Tanya Drlik Michael Kent
March 28	<ul style="list-style-type: none"> <li>◆ Social Media Policy follow-up</li> <li>◆ Animal Benefit Fund follow-up</li> <li>◆ Fleet/Low Mileage Vehicle Disposition</li> <li>◆ Triennial Phase I Review – Follow-up: EHS, Ag, HSD, Librarian</li> </ul>	Betsy Burkhart Beth Ward Carlos Velasquez Theresa Speiker
April 25	<ul style="list-style-type: none"> <li>◆ Screen applications for vacancies and determine interview format</li> <li>◆ Fish &amp; Wildlife Propagation Fund allocation recommendations</li> <li>◆ Treasury Oversight Cte interviews (BOS Rep and Public 3 seats)</li> </ul>	Julie Enea  Maureen Parkes  Russell Watts
May 23	<ul style="list-style-type: none"> <li>◆ Planning Commission, Fire Board, &amp; Retirement Board interviews</li> <li>◆ Affordable Housing Finance Committee nominations</li> </ul>	Julie Enea  Kara Douglas
June 27	◆	
July 25	◆	
August 22	◆ AB Triennial Review – Phase 2	Vicky Mead
September 26	◆ Local Bid Preference Program Annual Report	David Gould
October 24	<ul style="list-style-type: none"> <li>◆ SBE 2015 Annual Report</li> <li>◆ CCRCD interviews</li> </ul>	Vicky Mead Julie Enea/Teresa Hunter
November 28	<ul style="list-style-type: none"> <li>◆ Hazardous Materials Commission nominations</li> <li>◆ Law Library Member of the Bar nominations</li> <li>◆ Mosquito &amp; Vector Control nominations</li> </ul>	Michael Kent Julie Enea/Carey Rowan Allison Nelson/Craig Downs
December 26	◆ Fish & Wildlife Cte interviews (At Large 3, 4 and alternate)	Maureen Parkes

## ATTACHMENT C

### SUMMARY OF 2016 IOC REFERRALS

1. Small Business Enterprise (SBE) and Outreach Programs. The IOC accepted an annual SBE Program report on October 12, 2015 from the County Administrator's Office, covering the period January-December 2014, and noted that new data collection procedures instituted by CAO and have been implemented by most departments. The Committee recommended that staff provide a highlighted performance report and give underperforming departments an opportunity to communicate what factors are hindering their performance. This is a standing referral.

2. County Financial Audit Program. Since 2000, the IOC reviews, each February, the annual schedule of audits and best practices studies proposed by the Auditor-Controller. The Auditor-Controller's Office presented a report of their 2014 audits and the proposed 2015 Audit Schedule to the IOC on February 9, 2015. The Committee accepted the report on the status of 2014 audits and approved the 2015 plan with the direction to examine the Inmate Welfare Fund as soon as possible and to broaden the examination of the Public Works Department to include compliance with the vehicle acquisition policy. The Board of Supervisors approved the IOC's recommendations on March 3, 2015. This is a standing referral.

3. Annual Report on Fleet Internal Service Fund and Disposition of Low Mileage Vehicles. Each year, the Public Works Department Fleet Manager has analyzed the fleet and annual vehicle usage, and made recommendations to the IOC on the budget year vehicle replacements and on the intra-County transfer of underutilized vehicles, in accordance with County policy. In FY 2008/09, following the establishment of an Internal Services Fund (ISF) for the County Fleet, to be administered by Public Works, the Board requested the IOC to review annually the Public Works department report on the fleet and on low-mileage vehicles.

The Fleet Manager, in a report on February 9, 2015, highlighted that there are over 1,500 vehicles in the fleet, 859 of which are in the Internal Services Fund (ISF), identified 9 low mileage vehicles out of 859 vehicles in the Internal Services Fund Fleet and consulted with each department having low mileage vehicles. The Fleet Manager concluded that all but 4 of the 9 low mileage vehicles had compelling reasons to be maintained in the fleet. The department continues to install asset management and locating devices in ISF vehicles to promote good decision making and optimization of the ISF fleet. The Committee accepted the staff report and, on October 12, received a follow-up report on the status of "greening" the fleet. On November 17, 2015 the Board of Supervisors approved the recommended changes to the County's Vehicle and Equipment Acquisition Policy and Clean Air Vehicle Policy and Goals. The primary impact of the proposed changes is to commit to a goal of procuring the most fuel efficient and lowest emission vehicles that meet the essential vehicle requirements and specifications of departments. The policy vests authority with the Fleet Manager to determine when exemptions from the policy may be warranted. This is a standing referral.

4. Local Bid Preference Program. In 2005, the Board of Supervisors adopted the local bid preference ordinance to support small local businesses and stimulate the local economy, at no additional cost to the County. Under the program, if the low bid in a commodities purchase is not from a local vendor, any responsive local vendor who submitted a bid over \$25,000 that was within 5% percent of the lowest bid has the option to submit a new bid. The local vendor will be awarded if the new bid is in an amount less than or equal to the lowest responsive bid, allowing the County to favor the local vendor but not at the expense of obtaining the lowest offered price. Since adoption of the ordinance, the IOC has continued to monitor the effects of the program through annual reports prepared and presented by the Purchasing Agent or designee. On October 12, 2015, the IOC accepted the FY 2014/15 Report from the Public Works department and requested that the Purchasing Manager provide more information in future reports about how the Local Bid Preference Program meshes with the Small Business Enterprise and Outreach Programs. On November 17, the Board of Supervisors accepted the annual report. This is a standing referral.

5. Advisory Body Candidate Screening/Interview. On December 12, 2000, the Board of Supervisors approved a policy on the process for recruiting applicants for selected advisory bodies of the Board. This policy requires an open recruitment for all vacancies to At Large seats appointed by the Board. The IOC made a determination that it would conduct interviews for At Large seats on the following bodies: Retirement Board, Fire Advisory Commission, Integrated Pest Management Advisory Committee, Planning Commission, Treasury Oversight Board, Airport Land Use Commission, Aviation Advisory Committee and the Fish & Wildlife Committee; and that screening and nomination to fill At Large seats on all other eligible bodies would be delegated to each body or a subcommittee thereof.

In 2015, the IOC submitted recommendations to the Board of Supervisors to fill 18 vacant seats on various committees and commissions. The IOC interviewed 17 individuals for seats on the Airport Land Use Commission, Aviation Advisory Committee, Integrated Pest Management Advisory Committee, and the Fish & Wildlife Committee. This is a standing referral. In 2016, the IOC will recruit to fill scheduled vacancies on the County Planning Commission (At Large #2 seat), Retirement Board (BOS #4 seat), Advisory Fire Commission (At Large #1 seat), and the Resource Conservation District (three seats).

6. Process for Allocation of Propagation Funds by the Fish and Wildlife Committee. On November 22, 2010, the IOC received a status report from Department of Conservation and Development (DCD) regarding the allocation of propagation funds by the Fish and Wildlife Committee (FWC). The IOC accepted the report along with a recommendation that IOC conduct a preliminary review of annual FWC grant recommendations prior to Board of Supervisors review. On April 13, 2015 the IOC received a report from DCD proposing, on behalf of the FWC, 2015 Fish and Wildlife Propagation Fund Grant awards. The IOC approved the proposal and, on April 21, recommended grant awards for 11 projects totaling \$61,155, which the Board of Supervisors unanimously approved. This is a standing referral.

7. Advisory Body Triennial Review. The Board of Supervisors has asked a number of county residents, members of businesses located in the county and/or county staff to serve on appointed

bodies that provide advice to the Board on matters of county or other governmental business. Members provide a resident's, business or county staff perspective on a wide variety of policy issues or programs that the BOS oversees.

Beginning in 2010 and concluding in 2011/2012, the Board of Supervisors conducted an extensive review of advisory body policies and composition, and passed Resolution Nos. 2011/497 and 2011/498, which revised and restated the Board's governing principles for the bodies. The Resolutions dealt with all bodies, whether created by the BOS as discretionary or those that the BOS is mandated to create by state or federal rules, laws or regulations. The Resolutions directed the CAO/COB's Office to institute a method to conduct a rotating triennial review of each body and to report on the results of that review and any resulting staff recommendations to the Board, through the IOC, on a regular basis.

The first phase report of the current Triennial Review Cycle was considered by the IOC on April 13, 2015. At that time, the Supervisors approved many of the recommendations in the report. However, they also asked the CAO's Office to return with additional information about a number of the advisory bodies. On October 12, 2015 the IOC accepted the follow-up report from the County Administrator on outstanding issues and information requests stemming from Phase 1 of the Board Advisory Body Triennial Review. The IOC reported back to the Board on December 8 with results of Phase I of the review and recommendations for follow-up.

Phase II of the review is currently in progress.

8. Waste Hauler Ordinance. On May 8, 2012, the Board of Supervisors referred to the Internal Operations Committee a proposal to develop a waste hauler ordinance. The IOC received a preliminary report from the Environmental Health (EH) Division of the Health Services Department on May 14, 2012 and status report on November 13, 2013 showing substantial work and progress. The IOC requested EH staff to bring a final draft ordinance to the Committee for further consideration but staff subsequently identified issues with the interplay between the proposal and current franchise agreements that had to be examined before the County could proceed with an ordinance. On April 2015, IOC accepted a status report, and on July 27, 2015 reviewed a conceptual draft ordinance and a report outlining ten key issues on which policy direction was needed before further work on the ordinance could proceed. On October 12, 2015, the IOC provided additional policy direction to staff and asked to see a final draft ordinance at the February 2016 IOC meeting. IOC expressed preference to address the enforcement aspect of the ordinance on a separate and parallel track and directed staff to gather information from law enforcement countywide to see if enforcement costs could be estimated. The IOC asked for a commitment from the franchises to raise fees sufficient to fund enforcement of the ordinance countywide. As this continues to be a work in progress, we recommend that this referral be continued to the 2016 IOC.

9. Social Media Policy Follow-up. On June 26, 2012, the Board of Supervisors referred to the IOC the potential development of a policy governing the use of social media by County departments. The County Administrator's Office assigned the Office of Communications and

Media (OCM) with the task of researching this issue and providing information to the IOC. The IOC began studying the issue in August 13, 2012 and received periodic updates over the subsequent 18 months, during which time work on the policy had to be tabled for several months due to other emerging priorities. The policy was completed and approved by the Board of Supervisors on June 17, 2014, with direction to the Communications and Media Director to work with the County Counsel and Risk Manager to prepare social media site usage guidelines, terms of use disclaimers, and staff training curriculum, and to report back to the Internal Operations Committee on the status of these efforts.

10. Animal Benefit Fund Review. On April 21, 2015, the Board of Supervisors received several comments regarding the Animal Benefit Fund from members of the public during fiscal year 2015/16 budget hearings. As part of budget deliberations, the Board directed staff to include a review of the Animal Benefit Fund to a Board Standing Committee for further review. On May 12, 2015, the Board of Supervisors adopted the fiscal year 2015/16 budget, including formal referral of this issue to the Internal Operations Committee. On September 14, 2015 IOC received a staff report summarizing prior year expenditures and current fund balance of the Animal Benefit Fund. The Committee accepted the staff report and requested a follow-up report from the new Animal Services Director approximately 90 days post-appointment regarding pending needs and possible one-time uses of the funds

11. Community Choice Energy Aggregation. On August 18, 2015, the Board of Supervisors referred to the IOC the topic of Community Choice (Energy) Aggregation. Community Choice Aggregation (CCA) is the practice of aggregating consumer electricity demand within a jurisdiction or region for purposes of procuring energy. The existing energy utility remains responsible for transmission and distribution. The most common reason for jurisdictions pursuing CCA is to promote electricity generation from renewable energy sources and offer consumers choice in purchasing electricity with potential opportunities for cost savings.

The IOC took up CCA at its regular September 14, 2015 meeting and on October 13, recommended to the Board of Supervisors that outreach be conducted to Contra Costa cities and neighboring counties to gauge their interest in partnering with Contra Costa County to implement CCA. The Board directed the Conservation and Development Department (DCD) to conduct this outreach and examine the following three CCA options:

- forming a CCA partnership among the cities and the County, representing the unincorporated areas;
- partnering with Alameda County (and its cities) to form a CCA program; or
- joining the existing Marin Clean Energy program (which currently provides energy to three Contra Costa cities – Richmond, San Pablo and El Cerrito).

Further, the Board directed DCD to reach out to Contra Costa mayors and city managers to explain the concept and gauge their interest in studying CCA options. The Board also acknowledged that outreach efforts would require a substantial amount of staff time, expertise, and experience in the field of energy aggregation and, on October 20, 2015, approved an



allocation of \$25,000 to DCD for the study of CCA. Results of the outreach efforts will be reported to the IOC, therefore, we recommend that this matter be retained on referral.